(SRI M. P. PATIL)

statement showing the estimated amount of that expenditure."

Mr. SPEAKER.—New service does not necessarily mean a new policy.

Sri M. P. PATIL.—I shall point out another case: You take the Bangalore Milk Supply Scheme and I would request the Hon'ble Member to read the explanatory note in respect of it. It reads thus:

"Bangalore Milk Supply Scheme was inaugurated from January 1958. This is a post budget scheme. To meet the cost of purchase of milk, a sum of Rs. 2,70,000 was advanced from the Contingency Fund. The present demand is to recoup the same to that Fund. This expenditure is covered by receipts."

So, there is a procedure followed.

Sri J. B. MALLARADHYA.—The Hon'ble Minister was not present when I made the budget speech. I then took exception to this new service. It is not defined in the Constitution. What is the use of taking shelter under that?

Sri M. P. PATIL.—After all, who should define a new service? It should be the legislature. In the absence of a definition by the legislature, it is for the Government to consider what is a new service. When a new service is not defined by the House, it has to be understood in connection with the existing practice. The Public Accounts Committee has defined it.

Sri J. B. MALLARADHYA.—This Legislature has not taken a decision on that matter.

Mr. SPEAKER.—This is not the first budget; this is the third budget which we are passing. Naturally, we have impliedly accepted that position.

ಶ್ರೀ ಯು. ಎಂ. ಮಾದಪ್ಪ.—ಈಗತಾನೆ ಮಂತ್ರಿಗಳು ಹೇಳಿದರು, ಪಾರ್ಲಿಮೆಂಟ್ ನಡೆಯುತ್ತಾ ಇರುವಾಗ ಮತ್ತು ಮದರಾಸ್ ಅಸೆಂಬ್ಲಿ ನಡೆಯುತ್ತಾ ಇರುವಾಗ ಕೇಂದ್ರದ ಮಂತ್ರಿಗಳೊಬ್ಬರು ಮತ್ತು ಮದರಾಸ್ ಮಂತ್ರಿಗಳೊಬ್ಬರು ಸಭೆಯ ಹೊರಗಡೆ ಹೇಳಿಕೆ ಕೊಟ್ಟಿದ್ದಾರೆ ಎಂದು. ಆದರೆ ಅವರು ಒಂದು ವಿಷಯ ಮಾತ್ರ ಹೇಳಲಿಲ್ಲ, ಪಾರ್ಲಿಮೆಂಟ್‌ಗಾಗಲಿ ಮದರಾಸ್ ಸಭೆಗಾಗಲಿ ಸಂಬಂಧಪಟ್ಟ ಮಂತ್ರಿಗಳಾಗಲಿ, ಗವರ್ನರ್‌ಆಗಲೀ, ಹೈ ಕಮಿಷನರ್ ಆಗಲಿ ಅದಕ್ಕೆ ತಿಳಿಸಿದ್ದರೇ ಎಂಬುದನ್ನು ನಮಗೆ ತಿಳಿಸಲಿಲ್ಲ. ಬರೀ ಪ್ರೆಸ್ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಿದ್ದಾರೆ ಎಂದಾಕ್ಷಣಕ್ಕೆ ಸಭೆಗೆ ತಿಳಿಸಿಲ್ಲ ಎಂದು ತಿಳಿದುಕೊಳ್ಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ತಿಳಿಸಿರಬಹುದು ತಿಳಿಸಿದ್ದಾರೆಯೇ ಇಲ್ಲವೇ ಎನ್ನುವ ವಿಷಯ ಅವರು ಏಕೆ ಹೇಳಬಾರದು?

Sri M. P. PATIL.—It is unnecessary to discuss these matters. I have made my suggestions and the Hon'ble Member can also make suggestions and in the light of those suggestions, you may, Sir, establish any convention you want.

MYSORE VILLAGE PANCHAYATS AND LOCAL BOARDS BILL, 1958

Motion to consider (contd.)

Sri M. C. NARASIMHAN (Kolar Gold Fields).—What is the time limit, Sir?

Mr. SPEAKER.—Twenty minutes for each member.

An HON'BLE MEMBER.—If you will kindly see the records you will find that some members from the Treasury Benches have taken more than an hour.

Mr. SPEAKER.—After all, we have to conclude today.

***Sri M. C. NARASIMHAN.**—Sir, looking at the observations made by some of the members from the other side, I am confirmed in my impression that this Bill is not as democratic as it should be or as was claimed in the policy statements made by the leaders of the Congress. I hasten to add that this is neither in accord with the proposals of the Balwantrai Mehta Committee, nor in accord with article 40 of the Constitution, nor in accord with the Taxation Enquiry Commission's proposals, nor even in accord with some of the recommendations of the Congress Village Panchayet Enquiry Committee. I shall briefly try to indicate how they are not or in what particular provisions they are not in accordance with these recommendations.

What people demand is democracy and what we have given in terms of this Bill is, really speaking, a truncated democracy. It is more a shadow than substance that is made available

because of various controls at different levels. I am reminded of one sentence by Carl Marx in respect of the draft Constitution of the French Rupublic. He said that the Constitution was so worded that the article gave the democracy but the proviso denied that democracy. The position is something like that in respect of the various clauses in this Bill. It looks to me that Government have more faith in the bureaucratic element. We are all accustomed to see that there is a lot of suspicion about the elected element among the bureaucrats. Of course we are all accustomed to it and many a time we have heard comments on bureaucracy. My friend Sri Mallaradhya feels very sensitive when I say that. Apart from that, this great faith in the bureaucratic element alone to the detriment of the elected element is one feature which emerges very strongly from this Bill. No doubt I do admit that from the point of view of efficiency and efficient administration, a certain amount of control is necessary and it ought to be vested in the Government. I am not denying that. But the way in which the various provisions of the Bill appear, they seem to confer negative functions on the Local Self-Government rather than positive functions and positive contribution to the local self-Government movement as such. It looks to me that if we pass this Bill we may not be able to set up those institutions which were in existence in the by-gone days, *i.e.* before the British came into power. Congressmen have been repeatedly saying that it is their intention to establish *panchayat raj* by setting up village panchayats of the early days. But I have no hesitation in declaring that by this Bill that aspect will not be achieved. One important thing which looks to me is that unless inequalities in the village are reduced to the minimum, democracy conferred through village panchayats will be in danger. This is the principle which even Sri Srimannarayan Agarwal — I think he is here for some other purpose- has accepted and repeatedly said in a number of articles he has written. That is why this Bill ought to have come at least after the land reform was completed, after we had a picture of the land reforms which the Government seeks to introduce. If the Government seeks to reduce the inequalities in the countryside then the village Panchayat Bill will have greater contribution to democracy. In the absence of it, it becomes very difficult.

Talking of some other provisions— I shall not go into them in detail—I shall confine myself to a few of the provisions. The first thing that struck me was that the village panchayet adimnistration is normally to be confined to an area having a population of not less than 1,5 ,0 but not more than 10,000. That is one practical difficulty. That means in old Mysore nearly 36 per cent of the population lived in the villages with a population below 500. Now nearly 45 per cent of the village population will have to work in group panchayats. From my experience I can say that hitherto group panchayats have not worked satisfactorily. From my experience I can say that with regard to my constituency it is extremely difficult to enthuse the entire body of the people in respect of various measures. For example, take the question of setting up a primary school. If you say that it should be started in one group of villages the other group will not contribute towards it. Take also village development schemes; the same thing. In practice this works to the detriment of the villagers. Apart from that, even the Congress Committees which went into the question of village panchayat reform have definitely recommended that individual villages should be the ideal for village panchayat administration and not group of villages. Of course I am aware that this would mean that resources available in individual village units would be small. But for that purpose, up to a certain period some grants will have to be given to those villages to get the problem of development of initiative at different levels solved.

Secondly, I was surprised to see that this particular clause 8 gives blank-cheque powers virtually so far as the Deputy Commissioner is concerned. For example, it says:

(SRI M. C. NARASIMHAN)

"Appointment of an Administrative Committee or Administrator on failure to elect members of Panchayat."

If there is failure to elect members of panchayat then in those circumstances appointment of an Administrative Committe or Administrator may be permissible. But here it says:

"If the Deputy Commissioner is satisfied that a Panchayat of a village immediately after the establishment of such Panchayat cannot for any reason be constituted by reason of any difficulty in holding an election of the members of the Panchayat or failure to elect such members of the Panchayat or for any other sufficient reason whatsoever, or if at any general election to a Panchayat no member is elected, the Deputy Commissioner shall by notification either—

(i) appoint an Administrative Committee consisting of persons qualified to be elected, the number of such persons being equal to the number of members determined under sub-section (1) of section 5; or,

(ii) appoint an Administrator."

All such provisions in the Bill are extremely dangerous. It is true that in normal circumstances such provisions may not be resorted to; but that is no argument for retaining them in the Bill. I do not know why such provisions should find a place at all. In fact, it may be that progressive minded panchayats are going to be liquidated in this fashion. I am entitled to entertain a very reasonable suspicion about it. As for the democratic character of these institutions, I would like to invite attention to two aspects. In our present system a panchayat is to be elected and remains in office for a term of four years. These panchayat members and the panchayat administrations as such are not at all subject to the control of those who elected them. They are only subject to the control of the Deputy Commissioner and such other higher bodies. Even a Taluk Board cannot do much except to supervise.

3-30 P.M.

It is only the ordinary villager who votes a member to the office on the panchayat, will have to look to the extraordinary powers vested in the Deputy Commissioners and by virtue of the majority, he himself cannot exercise any effective control over the panchayat.

MR. SPEAKER.—The House will now rise and will meet after half-an-hour.

The House adjourned for Lunch at Three of the Clock and re-assembled at Thirty Minutes past Three of the Clock.

[MR. SPEAKER in the Chair]

SRI M. C. NARASIMHAN.—Sir, I was submitting that the constitution of the village panchayat is such as not to ensure sufficient control by the voters over the panchayats, which are vested with a life of four years. Sir, the point will be evident when it is considered that the life of the panchayat is four years. It was generally three years and so far as Coorg was concerned, it was two years. In this context Sir, vesting more power whereby the ordinary voter has got greater control over the panchayat was necessary. It is not there.

The other provisions such as clauses 42, 32 and 91 which impose control by the Government over the administration of the affairs of the panchayat, really deny democratic rights. Even for example, for undertaking obligatory functions it is subject to the control of the Government. Even if there is a tax to be imposed by the panchayet, it is subject to the control of the Government. Government is at liberty to suspend a fee or tax at any time and again say after some time, that they have thought over the matter and find it necessary to re-impose the particular tax or fee. That means, the panchayat virtually has no right to impose the tax and it is only subject

to the discretion and subject to the control of the Government. Sir, it is a very unhappy state of affairs where the voter has no control over the panchayat and the officers are not subject to the control of the panchayat, but are subject to the disciplinary control of the Deputy Commissioner. In this particular context I may say...

Sri R. CHENNIGARAMAIAH (Minister for Local Self, Government). — It is a peculiar theory you are advocating. Has the voter control over you ?

Sri M. C. NARASIMHAN.—I shall submit to you for your consideration that so far as this aspect is concerned, in at least about half a dozen States—Bihar, U.P., Punjab, Assam, PEPSU and Delhi—where the panchavat is called the Grama Sabha—the Grama Sabha consists of voters who have control. In Assam, if the Grama Sabha decide that the conduct of a member is not satisfactory they are entitled to withdraw him. This provision is there which is approved by the Congress Village Panchayat Committee.

Sri G. VENKATAI GOWDA (Palaiyam).—It also exists in Russia.

Sri M. C. NARASIMHAN.—There the situation is different.

Sri R. CHENNIGARAMAIAH.—We are luckily in Mysore.

Sri M. C. NARASIMHAN.—Russia has nothing to do with Mysore or Bihar or U.P.

Sri R. CHENNIGARAMAIAH.—I said we are luckily in Mysore.

Sri M. C. NARASIMHAN.—This particular set up which is in Bihar, U P., PEPSU and other States is something which has greater democratic content. We have to take into consideration the fact that we are affording a period of continuancy for four years, changing it from three to four years or two to four years as in Coorg.

The other important position would be that of the Sarpanch. I really object to this name Sarpanch.

An HON'BLE MEMBER —It is not Sarpanch. It is Sarpunch.

Sri M. C. NARASIMHAN.—I do not want it to be misunderstood as serpent. That is why I said Sarpanch. Sir, there are names in Kannada. If they are averse to having names in Kannada, why not they have it in Sanskrit. ಸಂಸ್ಕೃತದಲ್ಲಿ ಗ್ರಾಮಣಿ ಎಂದು ಇದೆ. I do not know why you have a fancy for these names.

ಅಧ್ಯಕ್ಷರು.—ನರಪಂಚ್ ಎನ್ನುವುದು ಯಾವ ಭಾಷೆಯಿಂದ ಬಂದಿದೆ ಎಂದು ಹೇಳುತ್ತೀರಿ ?

Sri M. C. NARASIMHAN.—I am definite it is from Hindi. In some States he is called by a different name. In U.P., he is called Adhyaksha. It is only in Bombay and Hyderabad, that it is called Sarpanch. In the interests of village panchayat it is better that name is changed.

The Sarpanch is an executive officer, and I have got only one or two things to say. It is very strange that so far as the removal of the Sarpanch is concerned, it should be by two-thirds majority, whereas in the case of Upa Sarpanch or Upa Adhyaksha, a simple majority is sufficient for his removal. I do not know why such a distinction is made between the two. And so far as the Taluk Boards are concerned the constitution is different. In the case of the Taluk Board as envisaged in section 108, for removal of a member, two-thirds of the members present must resolve and then only Government can think in terms of removal of such a member who has committed misconduct. But when it comes to the question of a member of the village panchayat, only a resolution is needed. Immediately it comes to the notice of the District Magistrate, then a member is likely to be removed. That is not a very satisfactory state of affairs. I do not know what the member can do. He has no executive powers. I can understand if such a provision is made in the case of President or Vice-President of a panchayat. But in the case of a member who has no executive powers, why should that power of disciplinary action be vested in the District Magistrate ? It is beyond my comprehension. In Madras, Rajasthan and other places, the Sarpanch is to be directly elected by the adult voter. Here, it is by the members of the Panchayat, and that too there is no secret ballot. I do not know the reason why there should not be a

(SRI M. C. NARASIMHAN)

provision in the Panchayat rules for a secret ballot.

Sri R. CHENNIGARAMAIAH.—That can be provided in the rules.

Sri M. C. NARASIMHAN.-Thank you, Sir. The other important question is in relation to the Secretary. There is a lot of controversy as to whether he should be under the control of the Panchayat or not. On this question unfortunately there is a lot of division of opinion. Particularly in the matter of these institutions, self-government can be successful by trial and error. You are aware that in 1926 Bombay had the secretaries directly under the control of the village panchayats. Then it was open to the panchayat to determine whether there should be a particular secretary or not. In 1933, it was changed and the power of the panchayat over the secretary was reduced. Again in 1947, an amendment was made by which the power was vested in the panchayat. My submission is that it should be left to the panchayat.

So far as elections are concerned, party feelings should not be there. In this regard I would suggest proportional representation and not indirect election. But if it is direct election in each constituency, one vote should not be the thing. On the other hand as many number of panchayet members as have to be elected, so many votes should be there. That would be better in the interests of unanimity and preventing fissiparous tendencies.

I would say a word about taxation provisions. My fear is that it is not in accord with the recommendations made by the Taxation Enquiry Commission. There is a duty cast on the Panchayat to levy three taxes, *i.e.*, on buildings, on professions and on places which are treated as places of public entertainment or where business is carried on. The Taxation Enquiry Commission has definitely held that it should not be made obligatory on a Panchayat to levy taxes. They have categorically stated that. Actually our panchayats are between two conflicting tendencies. If they tax, they become unpopular, and if they do not levy taxes, they cannot carry on. If they cannot carry on, they are condemned by the authorities and the people as well. That observation has been made by the Taxation Enquiry Commission; they have stated that in the early stages till such time as the village institutions become popular, taxation should not be the concern of the panchayats. Take the service tax. The collection under this is a very small sum. In Madras in 1950-51, it formed about 6·5 per cent of the total taxable revenues of the panchayats. So far as District Boards were concerned, it was 3 per cent. We are not worried about District Boards. Likewise in the old Mysore, it was a very small percentage. In view of this small percentage, I do not see the reason why that particular tax should be made compulsory. The tax on professions should be taken not on the compulsory list but on the obligatory list. It should be left to the discretion of the panchayat. So far as taxation on buildings is concerned, it should not be on the rental value but it should be on the capital value. That is the recommendation of the Taxation Enquiry Commission in respect of this matter. Another important thing is, the Taxation Enquiry Commission has definitely laid down that the duty on the transfer of immovable property was to be levied by the panchayat. What has happened here is, it has been transferred to the Taluk Board. I do not know why there should be this departure. In Madras it is an important feature of the income of the panchayat.

I think about Rs. 4 lakhs was being got by way of surcharge on transfer of immovable property in 1952-53 so far as Madras is concerned. In view of these points, I would suggest that the taxation powers be suitably amended and let it not be obligatory. If it is obligatory, then it is better the Government takes over the responsibility. In the case of Taluk Boards, so far as water cess as well as land revenue cess are concerned, it is the Government that takes over the responsibility. Why not they take over responsibility in this matter also?

With regard to the formation of Taluk Boards, on this question also there is confusion and confusion perpetrated by the Government at times and by the various bodies constituted by the Government. So far as Mysore is concerned, we had a committee, called the D. H. Chandrasekharaiya Committee. That Committee recommended that the District Boards should be there, the Taluk Boards should be there; the village panchayats should be there. So far as Taluk Boards are concerned, I think two-thirds are elected and one-third reserved by indirect election through the village panchayat so that the village panchayat may be represented at the taluk level. Here it is unfortunate that there is only indirect election and nomination. I would oppose both nomination and indirect election. It should be on the basis of direct election and not on any other basis. It is absolutely necessary that the adult voter should exercise his vote. So far as the relationship between the Taluk Board and the village panchayat is concerned, there is very little that the Taluk Board can do *vis-a-vis* the panchayat, but I do not wish to go into details at this moment. About the Taluk Boards, there is one more point. If Government are still thinking in terms of not having direct election, I would suggest that the members of the Assembly in the area be associated with the Taluk Boards. At least we will have one elected element in the midst of indirectly elected elements andall that. I would request that that suggestion should be taken into consideration.

Lastly about the District Councils. It is a body without power. If this structure is to be retained, where not much power is to be vested at the district level, if that is the final idea, at least this could be considered. The allocation of grants and the allocation of funds at least could be left to the District Council. Otherwise, the *District Council* will have no power virtually, excepting rubber stamping whatever the lower bodies do. On the question of giving some powers to the District Councils, especially to allocate funds, at least that job should be given to District Councils.

[MR. DEPUTY SPEAKER in the Chair]

ಶ್ರೀ ಬಿ. ಎಚ್. ಬೋರಣ್ಣಗೌಡ (ಜೇಲೂರು).—ಅಧ್ಯಕ್ಷರೆ, ಹಿಂದೆ ಮಾತನಾಡಿದ ಸದಸ್ಯರುಗಳು ಅನೇಕ ಸಲಹೆಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದರಲ್ಲೂ ಕೆಲವು ಅಮೂಲ್ಯವಾದ ಸಲಹೆಗಳನ್ನೇ ಕೊಟ್ಟಿದ್ದಾರೆನ್ನಬಹುದು. ಇಲ್ಲಿಯವರೆಗೂ, ವಿಲೇಜ್ ಪಂಚಾಯಿತಿ, ತಾಲ್ಲೂಕ್ ಬೋರ್ಡ್, ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಕೌನ್ಸಿಲ್—ಈ ಮೂರು ಸಂಸ್ಥೆಗಳ ಕಾರ್ಯಕಲಾಪಗಳನ್ನು ಸಮನ್ವಯಗೊಳಿಸಿ ಒಂದು ಬಿಲ್ಲು ಯಾವಕಾಲದಲ್ಲೂ ಬಂದಿರಲಿಲ್ಲ. ಈಗ ಬಂದಿರುವುದು ಸ್ತೋತ್ರಾರ್ಹವಾಗಿದೆ. ಈ ಬಿಲ್ಲಿನಮೇಲೆ ಮಾತನಾಡುತ್ತಾ ನಾನು ಕೆಲವು ಸೂಚನೆಗಳನ್ನು ಕೊಡಬಯಸುತ್ತೇನೆ.

ನನ್ನ ಮಿತ್ರರಾದ ಶ್ರೀ ನರಸಿಂಹಯ್ಯನವರು ಹೇಳಿದರು, Indirect Election ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿಗೆ ಇರುವುದು ಬೇಡ ಎಂದು. ಒಪ್ಪಿಕೊಳ್ಳುವ ವಿಚಾರವೇ. ಸಾಧಾರಣವಾಗಿ ಯಾವುದಾದರೊಂದು ಸಂಸ್ಥೆಗೆ ಚುನಾವಣೆಯಾಗಬೇಕಾದರೆ, ನೇರವಾಗಿ ಬರುವಂತೆ ಮಾಡುವುದೇ ಬಹಳಸೂಕ್ತ. ಪಂಚಾಯಿತಿಗೆ ಎಲೆಕ್ಷನ್ ಮಾಡುವಾಗ ತಾಲ್ಲೂಕು ಬೋರ್ಡಿಗೂ ಚುನಾವಣೆ ಮಾಡಬಹುದು. ಈಗ ಇಲ್ಲಿ ನಾವು ಸಂಸ್ಥಾನದ ಅಸೆಂಬ್ಲಿಗೂ, ಕೇಂದ್ರದ ಪಾರ್ಲಿಮೆಂಟಿಗೂ ಒಂದೇ ಸಾರಿ ಹೇಗೆ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುತ್ತೇವೆಯೋ ಹಾಗೆ ಇಲ್ಲಿಯೂ ಮಾಡಬಹುದು. ನನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಇವೆರಡಕ್ಕೂ Adult franchise ಇರುವುದೇ ಸೂಕ್ತ. ಕ್ಷೇತ್ರಗಳನ್ನು ವಿಂಗಡಣೆ ಮಾಡುವುದು ದೊಡ್ಡ ಕಷ್ಟವೆಂದು ತಿಳಿದಿರಬಹುದು. ಅದೇನೂ ಕಷ್ಟವಿಲ್ಲ. ಒಂದು ತಾಲ್ಲೂಕಿಗೆ 16 ರಿಂದ 20 ಮೆಂಬರುಗಳೆಂದು ವಿಧಾಯಕವಾಗಿರಬಹುದು. ಒಂದೊಂದು ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಆರು ಹೋಬಳಿ, ಎಂಟು ಹೋಬಳಿ ಅಥವಾ ಹತ್ತು ಹೋಬಳಿಗಳಿರಬಹುದು. ಆದ್ದರಿಂದ ಒಂದೊಂದು ಹೋಬಳಿಗೆ ಇಪ್ಪತ್ತು ಸೀಟುಗಳೆಂದೂ, ನಿಮ್ನ ವರ್ಗದವರಿಗೆ ಇಪ್ಪತ್ತು ಎಂದೂ ವಿಧಾಯಕಮಾಡಿ ಚುನಾವಣೆ ಮಾಡಲು delimitation ಮಾಡಬಹುದು. ಹೀಗೆ ಮಾಡಿ ಚುನಾವಣೆ ನಡೆಸುವುದರಲ್ಲಿ ಅಷ್ಟೇನೂ ಕಷ್ಟ ಕಾಣುವುದಿಲ್ಲ, ಈಹೊತ್ತು ಪಂಚಾಯಿತಿಗಳು ಹೇಗಿವೆ? ಹಿಂದೊಂದು ಪಂಚಾಯಿತಿ ಬಿಲ್ಲು ಬಂತು. ಅದರಲ್ಲಿ 5,000 ಜನರಿರುವ ಗ್ರಾಮಗಳುಸೇರಿ ಒಂದು ಪಂಚಾಯಿತಿಯಾಗಲಿ ಎಂದು ಈ ಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಒಪ್ಪಿಕೊಂಡಿದ್ದೆವು. ಆಮೇಲೆ ಚುನಾವಣೆಗಳು ನಡೆಯುವಾಗ ತಕರಾರು ಬಂದು ಚುನಾವಣೆ ನಡೆಯಲಿಲ್ಲ. ಈಗ 1,000 ಜನರು ಇರುವ ಹಳ್ಳಿಗೊಂದು ಪಂಚಾಯಿತಿ ಮಾಡಬೇಕೆಂದು ಸಲಹೆಯಿದೆ. ಮಲೆನಾಡಿನ ನನ್ನಿವೇಶವೇ ಬೇರೆ ಮೈದಾನದ ನನ್ನಿವೇಶವೇ ಬೇರೆ. ಮಲೆನಾಡಿನಲ್ಲಿ 1,000 ಜನರಿರುವ ಪ್ರದೇಶವೆಂದರೆ ಹತ್ತು ಮೈಲಿಯಷ್ಟುದೂರ ಹೋದರೂ ಸಿಕ್ಕುವುದಿಲ್ಲ. ಒಬ್ಬ ಸೆಕ್ರಟೆರಿಯುವರನ್ನು ಅಂಥಕಡೆ ನೇಮಕಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ನೇಮಕಮಾಡಿದರೆ ಆತನು ಹತ್ತು ಮೈಲಿ ಸುತ್ತಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಜೊತೆಗೆ ಮಲೆನಾಡು ಪ್ರದೇಶಗಳಲ್ಲಿ ಹಳ್ಳಿಹಳ್ಳಿಗೂ ಮಧ್ಯೆ ಮಧ್ಯೆ ಅನೇಕ ಕೊರಕಲುಗಳೂ ಹಳ್ಳಗಳೂ ಬಂದು ಮಳೆಗಾಲದಲ್ಲಿ ಒಂದೊಂದು ಹಳ್ಳಿಯೂ ಒಂದು ದ್ವೀಪವಾಗುತ್ತದೆ. ಹೀಗಿರುವಾಗ ಒಂದುಹಳ್ಳಿಯಿಂದ ಇನ್ನೊಂದು ಹಳ್ಳಿಗೆ ಹೋಗುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಒಂದು ಮನೆಯಿಂದ ಇನ್ನೊಂದುಮನೆಗೂ

(ಶ್ರೀ ಬಿ. ಎನ್. ಬೋರಣ್ಣಗೌಡ)

ಹೋಗುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಆದರೆ ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕ, ಮಂಗಳೂರು ಈ ಕಡೆಗಳಲ್ಲಿ ಒಂದೊಂದು ಹಳ್ಳಿಯಲ್ಲೂ 1,800 ಜನರಿರಬಹುದು. ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಅಂಥ ಪರಿಸ್ಥಿತಿಯಿರುವುದು ಅಪರೂಪ. ಇಂಥ ದನ್ನು ಯಾವರೀತಿ ಸಮನ್ವಯ ಮಾಡುತ್ತೀರಿ? ಆದ್ದರಿಂದ ಮರೆನಾಡಿನ ಹಳ್ಳಿಗಳಲ್ಲಿ ಸೆಕ್ರೆಟೆರಿಯವರನ್ನು ನೇಮಿಸುವಾಗ ಸರ್ಕಾರದವರು ಸಹಾಯಮಾಡುವುದು ಅವಶ್ಯಕವೆಂದು ಹೇಳುತ್ತೇನೆ.

ಇನ್ನು ತಾಲ್ಲೂಕ್ ಬೋರ್ಡ್ ವಿಚಾರ, ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿನಲ್ಲಿ ಪಂಚಾಯತಿಗೆ ಯಾವರೀತಿ ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸಬೇಕು, ಯಾವರೀತಿ ಹಣವನ್ನು ವಿನಿಯೋಗ ಮಾಡಬೇಕು ಎಂಬ ವಿಚಾರದಲ್ಲಿ ಕೆಲವು ಅಮೂಲ್ಯವಾದ ಸಲಹೆಗಳನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ದಕ್ಷತೆಯಿಂದ ಕೆಲಸಮಾಡುವ ಪಂಚಾಯತಿಗೆ ಇನ್ನಷ್ಟು ಹಣವನ್ನು ಕೊಡುವುದಕ್ಕೂ ಹಿಂಜರಿಯುವುದಿಲ್ಲ. ಅಲ್ಲಿ ನಣ್ಣ ಪುಟ್ಟ ಕೇಸುಗಳನ್ನು ತೀರ್ಮಾನ ಮಾಡುವುದಕ್ಕೆ ಏರ್ಪಾಡು ಮಾಡಿಕೊಡಬಹುದು. ತಾಲ್ಲೂಕ್ ಬೋರ್ಡ್ ವಿಚಾರ ಮಾತನಾಡುತ್ತಾ ಅನೇಕ ಮಿತ್ರರು ಹೇಳಿದ್ದಾರೆ. ತಾಲ್ಲೂಕಿಗೆ ಸಂಬಂಧಪಟ್ಟ M.L.A. ಗಳು ಚುನಾವಣೆಗೆ ನಿಂತುಕೊಂಡು ಬರುವುದು ಸರಿಯಲ್ಲ. ಅವರಿಗೆ ಹಾಗೆಯೇ Nomination ಮಾಡಬೇಕು.

ಶ್ರೀ ಆರ್. ಚೆನ್ನಿಗರಾಮಯ್ಯ.—*Ex-officio* ಮೆಂಬರಾಗಬೇಕೆಂದುಹೇಳಿದೆ.

ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕ್ (ಚಳ್ಳಕೆರೆ).—ನಾಮಿನೇಷನ್ನೇ ಆಗಬೇಕೆಂದು ಹೇಳುವುದಿಲ್ಲ. *Ex-officio* ಮೆಂಬರುಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳುವಾಗ M.L.A. ಗಳನ್ನು *Ex-officio* ಮೆಂಬರುಗಳಲ್ಲಿ ಸೇರಿಸುವುದು ಸೂಕ್ತವೆಂದು ಹೇಳುತ್ತೇನೆ.

ಈಗ ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿನಲ್ಲಿ ಕೆಲಸಕಾರ್ಯಗಳು ಹೇಗೆ ನಡೆಯುತ್ತಿವೆಯೆಂದು ನೋಡಿ. ತಾಲ್ಲೂಕ್ ಡೆವಲಪ್‌ಮೆಂಟ್‌ಕಮಿಟಿ ಯೆಂದಿತ್ತು. ಆ ಕಮಿಟಿ, ಸರ್ಕಾರದ Nominated Committee ಯಾದರೂ ಬಹಳ ಸುಸೂತ್ರವಾಗಿ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ಮಾಡಿಕೊಂಡು ಬಂತು. ಇವೊತ್ತಿಗೂ N.E.S. ಬ್ಲಾಕ್ ಎಲ್ಲಿ ಇಟ್ಟಿದ್ದೀರೋ ಅಲ್ಲಿ ಈ ಕಮಿಟಿಯವರು ಮಾಡಿದ ಕೆಲಸವನ್ನು ಹೋಲಿಸಿ ನೋಡಿದರೆ, ಈ ಕಮಿಟಿಯವರು, N.E.S. ಬ್ಲಾಕಿನವರು ಮಾಡಿರುವುದಕ್ಕೆ ಹತ್ತರಷ್ಟು ಚೆನ್ನಾಗಿ ಕೆಲಸಮಾಡಿದ್ದಾರೆಂದರೆ ಅತಿಶಯೋಕ್ತಿಯಾಗಲಾರದು.

4 P.M.

ಶ್ರೀ ಬಿ. ಎಕ್. ಬೋರಣ್ಣಗೌಡ.—ಇವತ್ತು ಎಕ್. ಇ. ಎಸ್. ಬ್ಲಾಕ್ಸ್ ಎಲ್ಲೆಲ್ಲಿದೆಯೋ ಆ ಬ್ಲಾಕ್‌ನಲ್ಲಿರತಕ್ಕ ಮೆಂಬರುಗಳನ್ನು ಬೇರೆಮಾಡಿ, ಅವರು ಮಾಡತಕ್ಕ ಕೆಲಸ ಮೊಹರಿ ಮಾಡುವುದು, ಹಳ್ಳಿಯ ಅಭಿವೃದ್ಧಿ ಮಾಡುವುದು ಇದಕ್ಕೆಲ್ಲಾ ಬೇಕಾದಷ್ಟುದುಡ್ಡು ಖರ್ಚಾಗುತ್ತಾ ಇದೆ. ಆದ್ದರಿಂದ ತಾಲ್ಲೂಕು ಬೋರ್ಡ್ ಇರುವುದರಿಂದ ಎಕ್. ಇ. ಎಸ್. ಬ್ಲಾಕ್‌ನಲ್ಲ ಯಾರು ಅಧಿಕಾರಿಗಳು ಇರುತ್ತಾರೋ ಅವರೇ ಈ ಕೆಲಸಗಳನ್ನು ನೋಡಿಕೊಳ್ಳುತ್ತಾರೆ ಮತ್ತು ತಾಲ್ಲೂಕು ಬೋರ್ಡಿನ ಅಧೀನದಲ್ಲಿ ಇರುತ್ತಾರೆ. ಅವರು ಮಾಡತಕ್ಕ ಕೆಲಸಕ್ಕೂ ಇವರು ಮಾಡತಕ್ಕ ಕೆಲಸಕ್ಕೂ ವ್ಯತ್ಯಾಸ ಇಲ್ಲದೆ ಇರುವುದರಿಂದಹೆಚ್ಚಿನ ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ಆಗುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಈಗ ಏನಾಗಿದೆ ಎಂದರೆ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡ್ ನಾಮಿನೇಟೆಡ್ ಬಾಡಿ ಆಗಿ ಅಲ್ಲಿಗೆ ಒಬ್ಬ ಸ್ಪೆಷಲ್ ಆಫೀಸರನ್ನು ನೇಮಕಮಾಡಿ ಕೆಲಸ ಮಾಡಿಸುತ್ತಾ ಇದ್ದೀರಿ. ಅಲ್ಲಿರತಕ್ಕ ಸ್ಯಾನಿಟೆರಿ ಇನ್‌ಸ್ಪೆಕ್ಟರು, ಹೆಲ್ತ್ ಇನ್‌ಸ್ಪೆಕ್ಟರು, ಇಲ್ಲಿರತಕ್ಕವರು ಮಾಡತಕ್ಕ ಕೆಲಸ ಒಂದೇ. ಹೀಗಿರುವಾಗ ಒಬ್ಬರು ಮಾಡತಕ್ಕ ಕೆಲಸವನ್ನು ಇಬ್ಬರು ಮಾಡುವ ಸನ್ನಿವೇಶ ಇದೆ. ಅದೇರೀತಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡಿನಲ್ಲಿರತಕ್ಕ ಗುಮಾಸ್ತರು. ಅವರು ರೆವಿನ್ಯೂ ಇಲಾಖೆಗೂ ಹೋಗಬಹುದು, ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡ್‌ನಲ್ಲೂ ಇರಬಹುದು. ಹೀಗೆ ಒಂದೇ ಕೇಡರಿನ ಅಧಿಕಾರಿಗಳನ್ನು ನೇಮಕಮಾಡಿಕೊಂಡು ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ನಡೆಸುವುದು ಸೂಕ್ತ ಎಂದು ಸಲಹೆ ಕೊಡುತ್ತೇನೆ.

ಬಿ. ಡಿ. ಓ. ಪೋಸ್ಟ್ ತೆಗೆದುಹಾಕಿ. ಆ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ನೋಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಒಬ್ಬರೆವಿನ್ಯೂ ಅಧಿಕಾರಿಯನ್ನು ನೇಮಕಮಾಡಿ. ಅವರನ್ನು ಡೆಪ್ಯೂಟಿ ಅವರ್ದಾರ್ ಎಂದು ಹೇಳಿ. B.D.O. ಹೆಸರು ಚೆನ್ನಾಗಿಲ್ಲ. ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಲೆವಲ್‌ನಲ್ಲಿ ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರಿಗೆ ಬೇಕಾದಷ್ಟು ಕೆಲಸ ಇರುವುದರಿಂದ ಪಂಚಾಯತಿ ತಾಲ್ಲೂಕು ಬೋರ್ಡಿನ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ನೋಡುವುದಕ್ಕೆ, ನಿಗಾ ಕೊಡುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ ಎಂತಹೇಳಿ ಒಬ್ಬ ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ ಸೂಪರ್ ವಿಜ್ಞ ಒಳಗೆ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ಮಾಡಿದರೆ, ಅವರಿಗೆ ಅಷ್ಟು ಕಷ್ಟವಾಗುವುದಿಲ್ಲ. ಅವರನ್ನು ಸ್ಪೆಷಲ್ ಆಫೀಸರು ಎಂದು ಕರೆಯಿರಿ. ಯಾರೇ ಆಗಲಿ, ಆ ರೆವಿನ್ಯೂ ಆಫೀಸರಿಗೆ ಅವರು ಮಾಡತಕ್ಕ ಕೆಲಸದ ಜೊತೆಗೆ ಈ ಕೆಲಸವನ್ನೂ ಮಾಡಿ ಎಂದು ಹೇಳುವುದರಿಂದ ಅವರು ಈ ಕೆಲಸವನ್ನೂ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಆ ಕೆಲಸವನ್ನೂ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಹೀಗಾಗಿ ಪಂಚಾಯತಿ ಮತ್ತು ತಾಲ್ಲೂಕು ಬೋರ್ಡಿನ ಕೆಲಸಕಾರ್ಯ ಬಹಳ ತಾತ್ಸಾರ ಮನೋಭಾವದಿಂದ ಉಳಿಯುತ್ತದೆ. ಅದನ್ನು ಸಮನ್ವಯಮಾಡಿ ಎಂದು ಹೇಳುತ್ತೇನೆ.

ಇನ್ನೊಂದು ಸಲಹೆ ಎಂದರೆ, ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಕೌನ್ಸಿಲ್‌ನಲ್ಲಿ ಡೆಪ್ಯೂಟಿ ಕಮೀಷನರು ಚೇರ್ಮನ್ ಆಗಿರಬೇಕೆಂದು ಸೂಚನೆ ಮಾಡಿದ್ದಾರೆ. ಇದಂತೂ ಬಹಳ ಆಶ್ಚರ್ಯವಾಗುತ್ತದೆ. ಸಾಧಾರಣವಾಗಿ ಯಾವುದಾದರೂ ಒಂದು ಮೀಟಿಂಗ್ ನಡೆಯುವಾಗ ಒಬ್ಬ ಎಂ. ಎಲ್. ಎ. ಅಥವಾ ಮಿನಿಸ್ಟರು ಬಂದರೆ ಡೆಪ್ಯೂಟಿ ಕಮೀಷನರು ಚೇರ್ಮನ್ನರು, ಅವರು ಉದ್ಘಾಟನೆ ಮಾಡುವವರು—ಇಂಥ ಪ್ರಸಂಗ ಬರುತ್ತದೆ. ಅಧಿಕಾರಿಗಳನ್ನು ಸಾರ್ವಜನಿಕ ಜೀವನದಲ್ಲಿ ಸೇರಿಸಿ ಕೆಲಸ ಕಾರ್ಯಗಳನ್ನು ಮಾಡುವುದು ಬಹಳ ಹಿಂದಿನಿಂದಲೂ ಮೈಸೂರಿನಲ್ಲಿ ಬೆಳೆದು ಬಂದಿದೆ ಎಂದು ಕಾಣುತ್ತದೆ. ಅಂಥ ಸನ್ನಿವೇಶದಲ್ಲಿ ನನ್ನನ್ನು ಮೀಟಿಂಗ್‌ಗೆ ಬಂದು ಪ್ರಿಸೈಡ್ ಮಾಡಿ ಎಂದರೆ ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಿರಲಿಲ್ಲ. ನನ್ನ ಸ್ನೇಹಿತರನೇಕರನ್ನು ವಿಚಾರಿಸಿದ್ದೇನೆ ಅವರೂ ಇದೇ ಮನೋಭಾವದಿಂದ ಇದ್ದಾರೆ. 'ಅಧಿಕಾರಿಗಳನ್ನು ಕೂಡಿಸುತ್ತಾರೆ. ನಮ್ಮ ತಾಲ್ಲೂಕಿನ ಯಾರಾದರೂ ಸಾರ್ವಜನಿಕ ವ್ಯಕ್ತಿಗಳು ಇಲ್ಲವೇ? ಅವರನ್ನು ಕೂಡಿಸಿದರೆ ಏನಾದರೂ ಹೇಳಬಹುದು' ಎಂದು ಹೇಳಿರತಕ್ಕ ಸನ್ನಿವೇಶಗಳನ್ನು ಕೇಳಿದ್ದೇನೆ. ಹಾಗಿರುವಾಗ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಕೌನ್ಸಿಲ್‌ಗೆ ಡೆಪ್ಯೂಟಿ ಕಮೀಷನರನ್ನು ಚೇರ್ಮನ್ ಆಗಿ ಮಾಡತಕ್ಕದ್ದು ಅನಾವಶ್ಯಕ. ಯಾರಾದರೂ ಒಬ್ಬರನ್ನು ಚುನಾವಣೆ ಮಾಡಿ ಬೇಕಾದರೆ ಡೆಪ್ಯೂಟಿಕಮೀಷನರನ್ನು ಅವರೇ ಚುನಾವಣೆ ಮಾಡಿಕೊಳ್ಳಲಿ. ಖಾಸಗೀ ಜನರು ಇದ್ದರೂ ಬಹಳ ಒಳ್ಳೆಯದು. ಕಾನೂನು

ರೀತ್ಯ ಡೆಪ್ಯೂಟಿಕಮೀಷನರು ಅಧ್ಯಕ್ಷರಾಗಿರಬೇಕು ಎನ್ನುವುದು ಹೋಗಬೇಕೆಂದು ನಲಹೆ ಮಾಡುತ್ತೇನೆ, ಮತ್ತು ಕೆಲಸಕಾರ್ಯಗಳು ನೂನೂತ್ಯವಾಗಿ ನಡೆಯಬೇಕಾದರೆ ಎ.ಇ. ಎಸ್. ಬ್ಲಾಕ್ಸ್, ಇಕ್ಟೆಂಸೀವ್ ಬ್ಲಾಕ್ಸ್ ಇವೆಲ್ಲಾ ತಾಲ್ಲೂಕ್ ಬೋರ್ಡಿನ ಹಿಡಿತದಲ್ಲಿ ಇರಬೇಕು. ಅವರು ಮಾಡತಕ್ಕ ಕೆಲಸ, ಇವರು ಮಾಡ ತಕ್ಕ ಕೆಲಸ ಒಂದಕ್ಕೊಂದಕ್ಕೆ ಡೂಪ್ಲಿಕೇಟ್ ಆಗ ಕೂಡದು. ಯಾವ ಕೆಲಸ ಮಾಡಬೇಕೆಂದರೂ ಈಗ ಇದಕ್ಕೆ ಸ್ಪೆಷಲ್ ಇಂಜಿನಿಯರಿಂಗ್ ಸ್ಟ್ಯಾಫ್, ಸ್ಯಾನಿಟೆರಿ ಸ್ಟ್ಯಾಫು ನೇಮಕಮಾಡಬೇಕೆಂದು ಹೇಳಿದ್ದಿರಿ. ಬಹಳ ಸಂತೋಷ. ಈ ರೀತಿ ಮಾಡುವುದರಿಂದ ಹಳ್ಳಿಯ ಜೀವನ ಒಳ್ಳೆಯ ಮಟ್ಟಕ್ಕೆ ಬರಬಹುದು.ನಾಲ್ಕೈದು ವರ್ಷಗಳಲ್ಲಿ ಹಳ್ಳಿಗಳ ಜೀವನ ಬಹಳ ಮಾಪಾರ್ಡಾಗುತ್ತದೆ. ಎನ್ನುವ ಒಂದು ಭಾವನೆ ಮೂಡಿದೆ. ಈಬಿಲ್ಲನ್ನು ಜಾಗ್ರತೆ ಪಾಸ್‌ಮಾಡಿ ಮುಂದಿನ ವರ್ಷವಾದರೂ ಈಗ ಹತ್ತು ವರ್ಷಗಳಿಂದ ಚುನಾವಣೆ ಇಲ್ಲದೆ ಕೆಲಸಕಾರ್ಯ ನಡೆಯುತ್ತಾ ಇದೆ. ಹೇಗೆ ನಡೆಯುತ್ತಿದೆ ಎಂಬುದನ್ನು ಹೇಳುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ—ಚುನಾವಣೆ ನಡೆಸಬೇಕೆಂದು ಹೇಳಿ ಈ ಮನೂದೆಗೆ ನನ್ನ ಬೆಂಬಲವನ್ನು ಕೊಡುತ್ತೇನೆ.

Sri J. B. MALLARADHYA (Nanjangud).—Mr. Speaker, Sir, I rise to offer a few remarks in respect of the Mysore Village Panchayats and Local Boards Bill, 1958. Before I go into some of the salient provisions of the Bill, I should like to make a few general observations.

Local Self-Government is a well known Indian tradition in the civic life of the country and it has a history of more than 150 years and as we are all aware, the old village panchayats had an autonomy and an economic self-sufficiency which I do not think we can secure either through this Bill or through any other legislative measures that any type of Government may contemplate either now or at any distant date. In Mysore State alone, it dates back to the year 1862 when, I understand, there were Municipal Committees in the two cities of Bangalore and Mysore and a few other towns. Since then, various steps have been taken by the Government to associate non-officials with the administration of Local Self Government in the shape of local fund committees, panchayats, group panchayats, taluk boards, district boards and, development committees at hobli, taluk and district levels. All these have functioned in their turn with varying degrees of success and if I may draw the attention of the House—I am not quite sure, I am open to correction—if the Hon'ble Minister for Local Self Government and the Secretariat have taken note of the various measures that are passed by this Government from time to time. I refer to the Local Boards Act, 1902, the Village Panchayat Improvement Committee Scheme of 1914, the Mysore Local Boards and Village Panchayats Act, 1918, the Mysore Village Panchayats Act and the Mysore District Boards Act, 1926, the Development Scheme of Concentrated Propaganda in Villages of 1936, the Intensive Hobli Drive Scheme of 1942 and the Rural Development Scheme of 1948—all these were devised with a view to decentralising the power of Government and entrusting it to the non-official bodies. Even so, I must say that they all had a very limited scope. The reason why they did not succeed is that it was purely and to a very great extent dominated by official agencies. I must say this in spite of the fact that I have been associated with these village panchayats for over 35 years. With a few notable exceptions here and there, these village panchayats and local self governing bodies were treated by officials in a spirit of domination. They actually bossed over them and this is the most important reason why the local self-governing institutions did not progress in a manner we expected them to. For one thing, our officials and officers did not have that amount of faith in democracy and that amount of faith in the success of local self-Government which one would expect. Otherwise, the history of the local self-governing institutions in the Mysore State would have been altogether different. I am making this statement with a full sense of responsibility. I shall come to the financial aspect later on, but I am looking at it from the psychological point of view and I am giving the attituted and frame of mind displayed by the official hierarchy towards this problem.

In doing so, I am not criticising any one in particular. Mysore State was the pioneer to give autonomy of a limited nature to many of the local bodies. My friend Sri Patil from

(SRI J. B. MALLARADHYA)

Bombay was very critical of the Bill. I am going to be more critical but in a different manner.

We in Mysore have paved the way for complete autonomy being given to the village panchayats. Every legislative enactment in Mysore has been a step further in this State in the direction of giving autonomy to self-governing institutions. It is a matter of pride for Mysore State that the history of local self-governing institutions should be of that category. In recent years, as you are aware, two committees have been constituted by Governments—one in 1949 presided over by the present Education Minister and the other in 1954 presided over by the ex-Minister for Education Sri D. H. Chandrasekharaiya. I do not know what prevented the Government from implementing the recommendations of these two committees. It is true that the Venkatappa Committee has not favoured the establishment of Taluk Boards whereas the Chandrasekharaiya Committee has given its seal of approval to the establishment of hierarchy of village panchayats and Taluk Boards and District Boards. They wanted all the three institutions to exist. Even the Planning Commission in the Second Five-Year Plan have stressed the need for a well organised democratic structure of administration in each State and the village panchayat will be organically linked with popular organisations at a higher level. They have not categorically said whether we should have both the Taluk Boards and the District Boards. But the Balwantrai Mehta Committee have given expression to their view that we should have village panchayat or village parishad and the district parishad at the top and in between what they call panchayat samithies. They do not call them as Taluk Boards.

Coming to the action taken by our popular Government ever since the attainment of independence for over a period of ten years, we expected them to do a great deal in trying to implement the pledges that they have made at the time of elections, to their declared policy of setting up a *grama raj* or *grama swaraj* which was the dream of the late Mahatma Gandhi But what did we get? In fact our hopes have been frustrated. Many problems and pledges remain unfulfilled, and Governments of the times whatever they were failed to realise the importance of this problem in its correct perspective. During all these years, if I should make an allegation which is well-founded, there was unmistakably a sense of indecision, hesitation, vacillation, lack of courage and I may even say positive fear complex either within the party itself or from outside influences and the total absence of any definite policy in giving effect to the various recommendations made by very important committees after great deliberation. After a period of ten or eleven years, after persistent agitation from various quarters, from various forums and after a lot of agitation, discussion and criticism on the floor of this House and the other, the Minister for Local Self-Government has after all placed before us a Bill. I should like to say a few words about it. I do not know whether I have to congratulate or criticise the Government.

SRI R. CHENNIGARAMAIAH.—You forget that we successfully implemented the Report of the Bheemappa Naik Committee in respect of municipal administration. We have already held two or three elections. With regard to the Venkatappa Committee Report being implemented, the only difficulty was we could not hold elections.

SRI J. B. MALLARADHYA.—To the extent that you gave effect to Bheemappa Naik Committee's recommendations which are of a far-seeing nature, I think you are entitled to some congratulation. But I am only talking with reference to the failure of the administration in giving effect to the important recommendations as regards village panchayats. In fact, in the new democratic set-up you must take the formation of institutions at the base into consideration. But in the present set up all minor municipalities will get converted into village panchayats. If I read in between the lines the idea seems to be to eliminate all minor

municipalities whose total population is less than 6,000 or less than 10,000 from the set up of the local self-governing institutions. I am open to correction. Whatever be its merits or demerits, the Bill has got to be judged by three or four standards. One is whether it satisfies the substantial requirements of the concept of democratic decentralisation; (2) whether it gives adequate opportunities for the expression of the people's will at the base *i.e.*, at the village panchayat level and (3) whether it affords scope for efficient exercise of real power by the popular representatives and for exercising popular control over the administrative machinery that you propose to set up. This is one of the acid tests. My friend Sri Narasimhan has already referred to the fact that there is only a semblance of power, that this is only a truncated type of democracy. I want to say one thing; considering the kind of powers that you are going to invest in the village panchayat it is only a semblance of power and not a real power. That is one of the acid tests. There is another thing.

Sri A. BHEEMAPPA NAIK.—Can you give an instance to show how it is a semblance of power and not real ?

Sri J. B. MALLARADHYA.—If you will see the number of sections to which I shall refer in regard to the powers of the Deputy Commissioner and the large number of powers that you have vested in the Chief Executive Officer and the other officials you find that there is absolutely no power given to the local boards, as the village panchayat, as a result of this Bill, is an official ridden local self-governing institution. I do not see much of non-official agency in the new set up of local self-governing institutions. If you take away the official hierarchy—the Deputy Commissioner and the Chief Executive Officer—and give their powers to the non-official agency you will be doing a service to the local self-governing institutions.

Sri R. CHENNIGARAMAIAH.—I would request Sri Mallaradhya to view these points very dispassionately. With his vast experience we expected some enlightenment from him. He has known the village panchayat administration and also administration of municipalities and how much party feelings are there in them. With the experience gained of these bodies we consider it desirable to give certain powers to the officials who are permanent and who can be held responsible.

Sri J. B. MALLARADHYA.—When I come to the appropriate clauses of the Bill I shall prove perhaps to the satisfaction of the members on the other side that there is a lot more of power given to the officials than is contemplated or is warranted for it. I am merely saying that the Bill need not have given so much importance to the official hierarchy. There seems to be a fear complex at the back of the mind of those who framed this Bill and that is that they do not seem to trust the elected representatives of the people. You do not seem to trust the people at the village panchayat level—people who have elected you as leaders, and as members of Cabinet. If they commit mistakes let them profit by it. That is the way in which they can be given training in local self-governing institutions. That is the basis of my argument. From the clauses of the Bill I see that the Government is afraid that if they give financial powers to the local bodies they may commit misappropriation or defalcation. Let them get into trouble and learn from it. It is just like a parent who has got plenty of money and is unwilling to give responsibility to his son or the eldest son on the ground that he will squander the amount. Let the devil squander it and get into trouble. So also let the people commit errors and then we shall rectify them. That is the attitude you must adopt here.

Sri R. CHENNIGARAMAIAH.—When the Hon'ble Member wants to compare the Assembly Members to the elected Members of the Panchayet, I would request him to examine the number of voters who have elected the Assembly Members and the number of voters who elect the members of the panchayat. It is after all in the nature of a pocket borough. In a big constituency like the Assembly constituency, we know

(SRI R. CHENNIGARAMIAH)

that there will be nearly one lakh o people who elect the member and when that is the case, they will naturally prefer a suitable member. But in a pocket borough, with 100 voters, 150 voters or even 200 voters, whether you can have the same consideration is the point. I would just leave it to him to consider that aspect.

Sri J. B. MALLARADHYA.—I agree with my friend the Hon'ble Minister for Local Self-Government. After all, the principle of election is the same. The amount of responsibility that the village panchayat is going to shoulder is not much. It is not millions of rupees; it is not crores of rupees.

Sri C. J. MUCKANNAPPA.—What is the responsibility of the Municipal Councillor? Why do you suspect the *bona fides* of a panchayat member?

Sri J. B. MALLARADHYA.—I agree that the the proportion of responsibility is a little higher and greater in the case of a member elected to the Assembly or the Council. But the essence of democracy is there. You must trust the elected representatives. After all, 100 people have trusted a particular individual and have elected him. You give him the necessary power. You help him to exercise that power. Your official must be there to give him assistance and not boss over him. Sir, that is the very principle involved in local self-government. You must give him power and make him realise his resp nsibility. In fact, there can be no rural development unless there is a realisation of the responsibility and a proper exercise of the power vested in him. One of the ideas of rural development is that you should make him realise his responsibility and he should control people who are running the administrative machinery. It is only then that development is possible. In fact, why have your rural development schemes failed? Because, you place more faith in the official element and you want to do it entirely through the official machinery. What is happening in regard to the N.E.S. and the community development projects? There may be lots of money spent throughout the country. Pandit Nehru may also claim that there is such a revolution in rural life. But you and I know to what extent the N.E.S. Scheme has succeeded. I do not blame anybody. But, what I say is, you remove the official hierarchy. The official that is there must put the people in the way. It is like an engine which should be put on rails and thereafter it will move beautifully. It is only by that test that I judge the merits of this Bill, Sir. Government seem to have thought that by placing this Bill before this House, they have done a very great thing. They seem to think that something is better than nothing. I am one of those who believe in thinking that nothing is better than nonsense. You cannot call this a progressive measure. It is a little better than the previous Bill that you had placed before us. It is a little better than the recommendations of the previous committees. But there is a lot to be done by way of change.

I am now coming to a few sections within the limited time allotted to me: I shall just refer to a few clauses of the Bill and I shall try to be brief in what I have to say.

Section 3.—In regard to the limit of population that you have fixed there have been two views expressed on the floor of the House. One is that it should be the single village panchayat whatever the number. The other view is it should be increased—I think my friend Sri Bheemappa Naik has said—that it may be fixed at 3,000. I am more inclined to agree with Sri Bheemappa Naik. You seem to have referred merely to the number not with reference to the total revenue of the village panchayat. That is a wrong approach to the problem. If you want to have rural development to be made more effective and benefit people of the locality, either you must stand not merely on numbers but on the actual revenue. Well, Sir, one particular difficulty that may arise is in regard to the delimitation of constituency—in regard first to the name of the village itself. Supposing, you call X village panchayat by the name of the bigger village. If you name the village panchayat after the bigger

village having a bigger population, I do not know, if those people of smaller villages will agree to it. It has been my experience that the people of the smaller villages will say, there is a sentiment attached to this village and you call it by the name of the smaller village.

In regard to delimitation, you do not seem to have provided for meeting objections from the concerned people. You say that Government by a notification published in the official gazette will delimit the constituency. You do not have a provision in the Bill to hear objections, as is ordinarily done, and for disposing of objections. Why don't you give it a legal sanction ? At any rate, please do not by an executive fiat fix up the territorial limits of constituencies.

I should like you to refer to page 17. One thing is about the words 'Sarpanch' and the 'Upa Sarpanch'. Can you not find a better word in Kannada ? Don't you think that the words 'Gramadhyaksha' and 'Upa Gramadhyakha' would sound better. He may gradually one day become also the Rashtradhyaksha !

Sri R. CHENNIGARAMAIAH.—The proper name is Gramadhyaksha.

Sri A. BHEEMAPPA NAIK.—The existing word sounds as though it is a serpent !

Sri J. B. MALLARADHYA.—I would like you to kindly immediately agree to change the words Sarpanch and Upa Sarpanch to GRAMADHYAKSHA and UPA-GRAMADHYAKSHA. I would like these words to be changed. They sound very jarring ! Where is the harm in calling him as GRAMADHYAKSHA ? Sir, if he is really competent, he may become even the RASHTRADHYAKSHA one day. In the United States, a person has chances of rising to the highest office of authority in the administration of the country. Here, if you give him training, why not this person, the GRAMADHYAKSA, become the RASHTRADHYAKSHA one day ?

Then I come to page 19—Motion of no-confidence. It is something which I really cannot understand. I think it is Sri Bheemappa Naik who referred to it. You want an individual to move the motion of no-confidence and even there, you have made a distinction between the Sarpanch and the Upa Sarpanch. Why should it be two-thirds majority in the case of Sarpanch and a bare majority in the case of the Upa-Sarpanch. That kind of a distinction should never be made in respect of two office bearers. What I say is, the first thing is that there should be at least three people. I think somebody made an observation that you will be inviting party politics. I want to ask: How long are you going to be under this fear and how long are you going to perpetuate this state of things ? I think it is reported in the papers that Sri BHEEMAPPA NAIK stated that there should be ten people to move a no-confidence if there are 10 people in the Village Panchayat.

Sri A. BHEEMAPPA NAIK.—It has been reported in the papers like that. I only said that there must be some definite number.

Sri J. B. MALLARADHYA.—The reason why I drew attention to this motion of no-confidence is, because it affects the entire peaceful atmosphere of the village. We ought to be very careful in making provision for this vote of no-confidence and I therefore consider that the minimum should be at least three. Otherwise, it becomes very difficult. You must also think of taking away the distinction in regard to the number of people who have got to vote both in the case of Sarpanch and Upa-Sarpanch. You may decide anything. But let there be no distinction made.

4-30 P.M.

Coming to page 21, I do not know what is the democratic principle involved in this question. When a meeting is adjourned for want of quorum you want not less than one-fifth of the total number of members to be present for the adjourned meeting. I do not know if there is a provision like that in any other constitution. What is the principle involved ?

Sri R. CHENNIGARAMAIAH.—The principle involved is the bitter experience we have gained. If there is no quorum, the adjourned meeting does not require any attendance. In a strength of 20, even if two or three

(SRI R. CHENNIGARAMAIAH)

members are present, they can pass a resolution. In a system of party administration, it is dangerous. We have got to consider that.

Sri J. B. MALLARADHYA.—It offiends against all principles and rules of conduct of meetings. How can you fix a minimum ? In which constitution is there a minimum for adjourned meetings ? That is not a thing which can carry conviction.

Well, Sir, coming to pages 25: sub, clause (3) of section 43 reads

> "A Panchayat may by a resolution passed at its meeting and supported by two-thirds of the total number of its members make provision for or make contribution towards any exhibition, conference or seminar within or outside the village."

When you have not got sufficient money to carry on the obligatory duties, how can you spare money for an exhibition or seminar whether within the precints of the village or outside ? When some enterprising member wants to contribute for an exhibition outside the place, far off, do you expect the village panchayat to contribute to the same ?

Sri R. CHENNIGARAMAIAH.—That is why we fixed the minimum number for the meeting. The very thing which you are opposing can be carried through even if a sufficient number of members are not present in an adjourned meeting.

Sri J. B. MALLARADHYA.—As regards adjourned meetings, the members will ha e had sufficient notice in the agenda as to what are the special questions for discussion. If they don't attend the meeting and allow a resolution to be passed, it is their fault. It offends against the democratic spirit. Suppose some outsiders look at the provisions of this Bill, they will find that the provisions are not based on a democratic spirit prevailing everywhere. This apart, this particular provision allowing for money to be spent outside the limits of the village—we can well understand if the money must be spent in the limits of the village panchayat. It is only in the case of surplus that you can think of spending on exhibitions, seminars, conferences, etc. Suppose an exhibition is held in Bangalore. Do you expect a village panchayat in Bijapur to contribute for this exhibition ?

Coming to Page 36—Panchayat the Funds–I am surprised in considering details of Panchayat Funds, you seem to have omitted– that is why I said in the beginning itself that some of the legislative measures have not been looked and scrutinised carefully before introducing the same in the Legislature. In the old Mysore Panchayats Act, there is section 37 which provides for an optional levy to the extent of Rs. 6-4-0; if anybody in the village could not pay, that would be commuted by labour. In the old days, lakhs of rupees worth of labour work was done within the village panchayat limits on account of the commutation of labour. I do not know why that wholesome measure is omitted in this Bill, and especially when this Bill is sponsored by a popular Government. Commutation by labour is in consonance with the truest traditions of democracy. I should be very grateful if the Hon'ble Minister will include this in some place. Section 37 of the old Mysore Panchayats Act provides for optional levy or commutation by labour.

Coming to page 39—this is about the grant by Government. Well, I agree with Sri Bheemappa Naik that you must be a little more generous and surrender the land revenue for the development of local self-government institutions. But there is one snag. You say in this section:

> "……the amount to be allotted to any panchayat being such as the Government may, from time to time, determine, ……".

You say that the Government will determine the amount of expenditure on such purpose as Government may determine from time to time. When you have fixed the amount for expenditure, why should it not be the responsibility of the village panchayat to spend the same on its needs ?

Sri R. CHENNIGARAMAIAH.—Regarding commutation by labour, section 71 (3) on page 37 provides for the same ' in lieu of cash payment '.

Sri J. B. MALLARADHYA.—I have seen section 71 (3). That is only in lieu of any tax. That is in addition to the normal tax. But what I was referring to was optional levy which could be commuted in labour. It was over and above regular taxation measures. That is why I called it optional levy.

Coming to section 76, why do Government want to restrict the purpose for which this money has got to be utilised ? You tell them what are their obligatory duties.....

Sri H. K. VEERANNA GOWDH.—That the amount may not be mis-spent.

Sri J. B. MALLARADHYA.—Then could 15 per cent of the land revenue collection of the village be mis-spent ? You are giving them 15 per cent from the land revenue collection of the village. You are again giving them ten per cent from the State Revenues. You want this amount to be spent in a particular manner and for a particular purpose. After all, you have told them what their obligatory duties are and what their optional duties are. Over and above, why do you prescribe what their duties are ?

Sri H. K. VEERANNA GOWDH (Minister for Public Works).—This is a grant for special purposes.

Sri J. B. MALLARADHYA.—".....as the Government may, from time to time, determine, to be expended on such purposes as the Governmet may from time to time direct ". Please do not give something to the village by one hand and take it away by another hand.

Sri R. CHENNIGARAMAIAH.–While introducing this Bill for consideration, I have made clear the object for which the Government wants to retain or determine the manner in which ten per cent has to be spent. There are financially weak Taluk Boards and panchayats. Though they have got needs, they have not got the necessary money. The area in which there are wet lands, they will get more income. In dry places they will get less money. We want to finance the schemes which any particular panchayat requires and which is beneficial to the place out of these ten per cent revenues.

Sri J. B. MALLARADHYA.—There is a principle involved. I will talk about financial allocation later. Here you have not specified in the particular section of this Bill what exactly is the limit of expenditure on establishment. You have not specified what exactly is the limit of expenditure on development work or what exactly is the limit of expenditure on normal work. There is no demarcation or allocation in regard to the several items of expenditure. When you do not do it, you prescribe limits for expenditure of the grant " for such purposes " ! It is not in consonance with regular allocation of finances. Further, Sir, I would have very much liked the Hon'ble Minister for Local Self Government to have placed before this House half a dozen cases of village panchayats based on population basis with reference to their revenue, their possible sources of revenue and the actual items of expenditure and how they would be placed financially so that this House may judge the constitution that would be acceptable to them. There are village panchayats with a population of 1,500 and in between there are village panchayats with 1,000 and 1,500. We do not know how allocation of revenue and assigning of local cesses would affect the working of the village panchayats. Before you give a reply, it is much better if you can get the details of half a dozen village panchayats so as to judge whether the allocation you have done is to the benefit of the village panchayats. Otherwise, the same old story will repeat itself if they want to have money. One village panchayat has a secretary to whom they pay Rs. 80; they may think of appointing two servants. What is the limit that you have prescribed ? You cannot say that at every stage the Deputy Commissioner or the Executive Officer will decide; you may say that 5 per cent of your revenue or 20 per cent of revenue may

(SRI J. B. MALLARADHYA)

be set apart for expenditure on establishment; but there should be some definite indication as to the amount of expenditure that a village panchayat or Taluk Board can incur with regard to the establishment charges, normal expenses and development purposes, in what proportion the expenditure is to be allocated between Government and their own resources.

I shall come to clause 78 on page 40. I am not going to offend my friends coming from the integrated areas. I want to know when all along your slogan has been to secure uniformity of legislation in everything between integrated areas and old Mysore, why this provision of clause 78? I do not wish to make any remarks because it is not my intention to offend my friends or introduce a sense of discrimination. But this clause actually offends against the principles of uniformity. Why don't you give them a grant instead of giving seventy-five per cent in the first year, sixty per cent in the second year, forty-five per cent in the third and all that towards establishment. Are the Government going to bear the expenditure for the secretary of the village panchayat? Why do you make a discrimination between certain integrated areas and some old Mysore area?

I will come to the next clause regarding the appointment of secretary. This Bill makes no provision for appointment of any honorary secretary. Do you mean to say that you cannot find some villages at least where honorary service is forthcoming to be in charge of village panchayat work? Why do you think that talent in villages is bankrupt so that they cannot voluntarily render service for the village panchayat? Make some provision for honorary workers. How else are you going to train the people? You want only paid officials to boss over the Village Panchayat Chairman and members and everybody. I do not wish to make any further comments on this matter, but do make provision for honorary service as secretary of the village vanchayat. There are many young men, graduates who live in villages. Let the provision be there. I personally look at it from the point of view of training young men for responsible work in future.

In sub-section (2) it is stated:

> "The qualifications, powers, duties, remuneration and conditions of service including disciplinary matters of such Secretary shall be such as may be prescribed."

". . . . . such as may be prescribed." Is it the Deputy Commissioner who is going to prescribe? In every clause there is somehow the nightmare of the Deputy Commissioner in regard to the administration of local self-government. You cannot get over the idea that it is only the Deputy Commissioner who could give impetus to the local self-government. Are you going to give a statutory recognition? Please see sub-section (3) of clause 82.

Sri R. CHENNIGARAMAIAH.–I wish you had given advice when you were in office.

Sri J. B. MALLARADHYA.—If only you had known how I functioned in office, you would not have made this remark. I know what the Deputy Commissioner can do. I will come to the question of as to who should be in charge of the entire administration. You must relieve the Deputy Commissioner of the responsibilities in the management of local self-government institutions if you want local self-government to get on in the manner that you expect. I am not saying that only non-officials should be there. One independent full time local self-government officer or Commissioner should be in the entire charge of administration.

Sri R. CHENNIGARAMAIAH.—That we have provided.

Sri J. B. MALLARADHYA.—You have not said that there should be an independent officer. You have merely referred to him as Commissioner. He may be Divisional Commissioner. I know the way the Secretariat mentality functions in regard to this matter.

In regard to the appointment of servants, it is a small matter but big enough in every village panchayat. Even the appointment of a servant you

want the secretary to make. What is that blooming Chairman of the panchayat to do ? The entire thing is so jarring. You trust a paid secretary on Rs. 50 to run a village panchayat. Can you not imagine that there are people in the village who are paying Rs. 1,000 by way of land revenue and Rs. 500 by way of income-tax ? You want people of that type to take orders from the secretary. What is this kind of local self-government that you visualise ?

With regard to the presentation of the budget, my friend Sri Bheemappa Naik has already referred to the very funny way you expect the budget to be presented to the entire village. ಅದೇನು ಜಾತ್ರೆಯೇ, ಅಥವಾ ಮಾರಮ್ಮನ ಹಬ್ಬವೇ! ವಿಲೇಜ್‌ಪಂಚಾಯಿತಿಯವರು ಎಲ್ಲರನ್ನೂ ಕರೆಸಿ ಬಡ್ಜೆಟ್ ಇಡುವುದೆಂದರೆ ಅರ್ಥವೇನು ? ಒಂದು ವೇಳೆ ಹತ್ತು ಜನ ಚೆನ್ನಾಗಿಲ್ಲವೆಂದು ಹೇಳಿದರೆ ಆಗ ಏನು ಮಾಡುತ್ತೀರಿ ? What is this provision in clause 82 and what is its effect ? There must be some purpose. You may acquaint the villagers with regard to what is being done, but why should a budget be presented ? You acquaint the villagers that such and such development measures are going to be inaugurated, you are going to do certain things, a well is going to be sunk or a community centre is going to be started. These are matters you can acquaint the villagers in a meeting, but why go on presenting the budget ?

Sri R. CHENNIGARAMAIAH.—This is not a new provision. It is already there in the other Act.

Sri J. B. MALLARADHYA.—You have got certain things which should not have been embodied and you have omitted things which should have been there.

I shall now take clause 96—Composition of Taluk Boards. The very first observation that I wish to make is, please do away with nominations and there is no need for argument. It is not democratic at all. You said there was one Hon'ble Member nominated to the Assembly, but that was under very extraordinary circumstances. My friend Sri Bheemappa Naik referred to the question of backward communities. If there were a provision at least in sub-section (2) I would have possibly considered this question. (*Sri F. X. Denis Pinto.—What about ladies ?*) You know my sympathies and my admiration for ladies. In a village where I am, I would certainly elect ladies in preference to men. Sub-section (2) of clause 96 says :

> " The members to be nominated under clause (*b*) of sub-section (1) shall consist of persons having experience of local administration, co-operation or social service."

If you are going to substitute it by saying "well known backward classes" I can understand. Even then you say that in the selection of persons you must select such and such number of backward people. Say that. I don't mind.

Sri R. CHENNIGARAMAIAH.—So with that modification you are agreeable ?

Sri J. B. MALLARADHYA.—I am against nomination all together. I refer to my friend's observation. If you say that such number of people will have to be elected, so many from Scheduled Castes and so many from backward classes, let them come by election.

Sri A. BHEEMAPPA NAIK.—My point is about making a reservation for these backward classes instead of nomination and election.

Sri R. CHENNIGARAMAIAH.—That is not possible.

Sri J. B. MALLARADHYA.—In regard to the delimitation of territori l constituencies in the case of Taluk Boards, I am suggesting that there need be no more demarcation or delimitation excepting hoblis. The election should be direct ; there is no question of indirect election. It should be in the nature of direct and general election and the hobli should be the unit. Otherwise, if you want half a dozen people to come from one particular taluk inclusive of all the hoblis, the whole lot of people may come from one hobli or two hoblis. There is a lot of scope for mischief. So if hobli is made the unit, there would be adequate representation of all the areas so that nobody will have any

(SRI J. B. MALLARADHYA)

grievance. The hobli should be the unit for delimitation of constituencies. That will save all the bother of territorial distribution of seats.

Section 99 once again refers to the question of preparing the electoral rolls. I want the voters' list consisting of qualified voters in a particular constituency.

I now come to Section 105. I do not know why you have restricted the term of office only to 4 years. The Balwantrai Committee has suggested five years and the Assembly has also got a term of five years. Why do you want to reduce the term by one year in the case of village panchayat and taluk boards? It is better we agree to five years.

I come to the duties of the President of Taluk Board. I do not know why you have omitted the word 'powers'. Possibly, you do not want powers to be vested in him. Sub-section (*b*) provides: "watch over the financial and executive administration of the Board and exercise general supervision and control;" This is a very vague expression. What is the general supervision and control and what is the effective way in which it is going to be felt by those who deal with the President? Is this effective control? In my preliminary observations I said that the merit of the Bill was to be judged by one acid test and that is to what extent you have vested real and effective powers in the elected representatives of the people. Does this provision in the Bill satisfy that acid test? Is this democratic decentralisation? Once again you have got the remnants of the old bureaucratic method of trying to do everything. The President's general supervision and control means ಸ್ಕೂಲ್ ಮಾಸ್ಟರ್ ಬೆತ್ತ ಹಿಡಿದು ಕೊಂಡು ಕುರ್ಚಿಮೇಲೆ ಕುಳಿತುಕೊಂಡು ನೋಡುತ್ತ ಇದ್ದ್ಹಾಗೆ.

Sri R. CHENNIGARAMAIAH.—What is the position in the Corporation?

Sri J. B. MALLARADHYA.—I wish you did not allow the election to the Corporation to be fought on a party basis.

Sri R. CHENNIGARAMAIAH.—It is the Commissioner who has got all the powers and the Mayor has not got the powers which you are contemplating.

Sri J. B. MALLARADHYA.—That is why not even 10 per cent of the subjects put down on the agenda are disposed of on the same day.

Coming to page 63, regarding the Chief Executive Officer I am opposed to naming him as the Chief Executive Officer. You may call him an Executive officer. Why do you call him as the Chief Executive Officer? If there are other executive officers, he could have been called the Chief Executive Officer. An officer at the district headquarters who has got control over the entire administration of the Taluk Boards should be the Chief Executive Officer of the district. It is the Chief Executive Officer who appoints the servants of the Taluk Board. The Taluk Board has nothing to do with it. He does not take even the formal approval of the Board. Then, what is the power of the Taluk Board? What is the official status of the Chief Executive Officer to whom you have referred to in Section 116? I do not want to make any further comment on it. Is it that of a Tahsildar or of an Assistant Commissioner?

Sri R. CHENNIGARAMAIAH.—He will be a Tahsildar.

Sri J. B. MALLARADHYA.—Sub-section (4) of Section 116 provides that 'on such entrustment, the expenditure on account of the salaries and allowances of the establishment to which other duties are entrusted shall be apportioned between the Taluk Board and the Government in such manner as may be prescribed'. You give them some money in the shape of grants and assignment of land revenue and certain local cess. Some portion of the cost has to be met by the Taluk Board itself. What is that proportion which you are going to fix? The entire picture is very hazy. When you want an officer of the Government to be appointed, when you want to fix his salary and status and when you want him to work, it is much better that you pay him the salary also. Why do you want the Taluk Board to pay for it unless you assign the entire land revenue to it?

Coming to page 73, there seems to be a little conflict in Section 141 regar-

ding grant of licences. Supposing a licence is issued by a village panchayat for a particular business or trade what is it that the Chief Officer can do? Is he going to cancel it? Where should the aggrieved party go?

Sri R. CHENNIGARAMAIAH.–He has got a right of appeal to the Board.

Sri J. B. MALLARADHYA.–Anyway, either at the Select Committee stage or when the Select Committee report comes before the House for its consideration, I shall make observations in regard to this matter. What I want to point out is that it offends against the powers vested in the village panchayat itself.

Coming to page 83, Section 162 refers to the assignment of certain revenues to the Taluk Boards. I have already referred to this point. I do not want the Government to prescribe from time to time the amount to be spent on a particular item.

Coming to page 87, sub-section (4) of Section 171 provided :—

> "If the budget fails to make adequate provision for the performance of the duties of the Taluk Board and is not otherwise in conformity with this Act, the District Council may modify any part of the budget so as to ensure that such provision is made and that the budget is in conformity with the Act."

Is this in the nature of an order by the District Council? Is it binding on the Taluk Boards? Where is the statutory provision for this? Where is any obligation cast on the Taluk Board to accept the revised budget? You say that if the budget is not received within two months from the date of sending it to the District Council, it may be presumed that the Taluk Board has the approval of the District Council. Unless you make a statutory provision for the District Council having the last word in regard to the framing of the budget, I do not think it will be binding upon the Taluk Boards. There is nothing in the Bill as it is framed now which binds the Taluk Board to abide by the decision of the District Council.

Coming to District Councils, I would like to know why no direct representation is given to the Village Panchayats in the District Councils. On principle I am opposed to the formation of District Councils. I do not know why there should be District Councils at all. What are their functions? They cannot make their influence felt. Either you give some powers to the District Councils or you do away with them. Now here is it said that they have got certain powers. How do you expect any of their decisions to be binding on on anybody? In fact, this is another case of very bad drafting of the Bill. You have not given direct representation to any village panchayat. That amounts to ignoring the village panchayats.

5 P.M.

Coming to the appointment of the President, I do not know why the Deputy Commissioner of the district should be *ex-officio* President of this Council. Do you mean to say that the members of the Parliament, members of the Legislature and leading men and men of light in the whole district cannot be selected for that work? Let there be a chairman elected for the District Development Council. Why do you want to superimpose an official on the District Development Council? I visualise that this is a counterpart of the Planning Commission though the Planning Commission is now very much coming to get its importance reduced. The point is, this must be the body, if you want it, which should plan for the entire district. It must have a set of officials who will implement its decisions. They must act, assess and watch over the implementation of the several development schemes for the entire district if you want this Council at all to be there. I strongly protest against the provision made in the Bill for the appointment of the Deputy Commissioner as President of the Development Council. He must be a non-official. Even there I do not want nomination. I want election. We must form the electoral college. Again, you want the Secretary to the Council to be appointed by Government. I do not mind your making a provision for the Secretary to

(SRI J. B. MALLARADHYA)

be appointed by Government; but he must be subordinate to the Council. He must subject himself to supervision and control by the President and members. Similarly in the case of the Taluk Board a provision is made that an executive officer must be the Secretary of the Taluk Board. He must be a servant of the Taluk Board. He should be subject to discipline by the Board and if he is aggrieved he may appeal to the Commissioner whom you are going to appoint and finally appeal to the Government. However important and mighty an officer might be, if you are denying the privilege of effective control over him by the non-official body, what is the power and control that you are going to invest to them? That is why it was said that it is a semblance of power if you do not give real power to these bodies. What are the duties that you have assigned to these bodies? What are the sources of their revenue? You have not even said that the salary of the Secretary is going to be met by Government. Why have you omitted from this particular clause of the Bill all the matters connected with the establishment of District Councils funds, duties, powers and responsibilities and you do not say that even the planning work of the district is entrusted to them. The functions of the District Development Councils are:

"(*a*) Scrutiny and approval of the budgets of the Taluk Boards;

(*b*) reviewing the work of the Taluk Boards from time to time;

(*c*) affording guidance or assistance to the Taluk Boards when it is sought;

(*d*) co-ordination of the work of the Taluk Boards where the work or programme pertains to more than one taluk or has repercussions on the works carried on or on conditions outside the taluk; and

(*e*) any other duty that may be entrusted by Government relating to the work of the Taluk Boards."

Why don't you specify those duties?

Next, you have not made any provision in regard to the term of this Council. Has it anywhere been stated how long this Council will exist or is it going to have an abortive existence, starting today and dying tomorrow?

In clause 217 reference has been made to Mysore Local Government Service. You have not told the House nor is it anywhere provided in the Bill that you are going to constitute what you yourself call as Mysore Local Government Service? Is it going to be a separate service? What are its features and what are its hopes and aspirations; is it going to be anything different from the regular Government service? Are you going to have a central pool of officers? From where are you going to have them? Is it your intention that Engineering service and Health service of local self-governing institutions should be drawn into this pool? When you select the officers down from the Secretary to the Chief Executive officer, is it your intention to form a separate cadre of officers or are you drawing officers from various services and give them training and post them or appoint them by direct recruitment?

SRI R. CHENNIGARAMAIAH.—Direct recruitment.

SRI J. B. MALLARADHYA.—If that is your intention I should like to suggest that the head of the local self-governing institution, *viz.*, the Commissioner should be a full-time officer who has nothing else but general control and supervision.

SRI R. CHENNIGARAMAIAH.—That is our object.

SRI J. B. MALLARADHYA.—Then why don't you say so?

If you will please read clauses 195, 196, 197, 198 and various other clauses in this Bill, you seem to consider that the Deputy Commissioner is the only person who can save the local self-government institution. You have given him omnibus powers out of all proportion to the demand of the situation. There is no justification for that. Clause 198 reads thus:

"Default in performance of duty of Panchayats or Taluk Boards.—

(1) If at any time, it appears to the Deputy Commissioner that a Panchayat or Taluk Board has made default in the performance of any duty specified by or under any of the provisions of this Act or of any law for the time being in force,

he may order the duty to be performed within a specified period, and, if the duty is not performed within the period specified, the Deputy Commissioner may appoint some person to perform it, and direct that the expense thereof shall be paid by the defaulting Panchayat or Taluk Board within such period as he may fix."

Sri R. CHENNIGARAMAIAH.—Even now they have got these powers. I have not come across a single instance where they have misused their powers.

Sri J. B. MALLARADHYA.—That is not the point. If you say that you are going to fall into the same rut as the bureau cratic government, you can go on and please yourself. But if you want a progressive measure to be placed on the Statute Book, if you want local self-governing institutious to be a live reality, if you want them to be institutions which cater to the needs of the rural people, if you want rural reconstruction or rural development to be accomplished, you must change your outlook. You must take away the powers of the Deputy Commissioner and vest them in the Commissioner and with the Government. There are only two agencies at the head for each district in this respect the Commissioner for Local Self-Government and the Chief Exective Officer. The Chief Executive Officer should be the man for each district through whom all the correspondence will go to the Commissioner for Local Self-Government. Then he will correspond with the Government. Right from the beginning to the end you have an official hierarchy. At every stage this Local Self-Government Commissioner need not be subject to anybody's control except Government because it is meaningless, if it should be otherwise. The Chief Executive Officer who is a Sub-division Officer and an ordinary officer in charge of the Taluk Board must be subject to discipline and control by the Taluk Board and as regards the Secretary, I very much wish that you make a provision in the rules for the appointment of an Honorary Secretary at the village panchayat level.

Coming next to page 106—there are only five more pages and I will finish—you have vested in Taluk Boards law making power for panchayats. Why do you think that a Taluk Board is a more competent body for law making? After all, according to yourself, you want only the Village Panchayat Chairmen to be Members of the Taluk Boards through indirect election. You think they have become suddenly wise and competent to make laws for village panchayats!

Sri R. CHENNIGARAMAIAH.—Where is it stated that only Village Panchayat Chairmen should be members of the Taluk Board? Any ordinary voter can contest.

Sri J. B. MALLARADHYA.—Bu the point is, why don't you give power to the village panchayats to make their own laws? Why do you think that if a person who is a member of the panchayat becomes a member of a Taluk Board, he suddenly grows wise and more competent to frame laws for the panchayat? Either leave it to the village panchayet or to the Commissioner so that he may frame a set of model laws or rules for the regulation of work in each village panchayat or please do not make a Taluk Board a kind of heavenly body to make laws for the village panchayet. That kind of distinction you should not make. A village panchayat must be an autonomous and economically self-sufficient body. You do not introduce this element of superiority or inferiority in these local self-governing institutions.

Coming to page 109, as I said, you will have to define what exactly is Mysore Local Government Service since no definition has been given as to what it is.

Sri R. CHENNIGARAMAIAH.—Local Self-Government Service.

Sri J. B. MALLARADHYA.—There is no definition. You will have to make a provision in the Bill. Otherwise it would be a lacuna in the Bill itself. If you will see clause 217(2) it says:

> "A Taluk Board may, if it deems necessary, by a resolution passed by two-thirds of the total number of members of the Board recommend to the Government the taking of such disciplinary action as may be necessary against any officer belonging to the said service in respect of any misconduct by him."

So, it is only a question of recommendation. These are only powers of recommendation. Supposing that recommendation goes and gets stuck up with a competent, very enterprising clerk, or Under Secretary and does not go to the Secretary or the Minister; what is to happen to it?

What is the point in saying that it is only a recommendation? It has no responsibility. This is the very negation of democracy, I consider. They want to take away the power of having disciplinary control in respect of even servants, let alone the Executive Officers. That is why I say, this must undergo a radical change.

Page 111—Section 224 contemplates the taking over of institutions managed by District Boards. But Sir, has the Government visualised what is going to be the effect of this, and what is the elaborate machinery that they are going to set up for delegating the control of education, at primary and secondary levels? Now there are a large number of District Boards and Municipalities which are in charge of running secondary educational institutions. There are many institutions which are under private agency. You are taking away from the purview of the District Board and Municipality, the primary and secondary education and you say you are setting up a School Board. I do not know what this means. Is it that the Government is going to take over? Is this School Board going to be a non-official board or is it a board set up by the Government? It is not very clear. I consider that the Government has not adequately appreciated the magnitude of the problem in making this suggestion in this section. The words are vague and the implications are not easily understood. As against 58 or 60 Government Secondary or High Schools, more than 200 schools are run by the District Boards and Municipalities.

Sir, coming to page 121, in regard to the Taluk Boards, in one section, you have suggested that Taluk Boards would have to be advisory bodies in areas where the N. E. S. block is functioning. This is a thing which looks to me so preposterous. A Taluk Board which is a statutorybody has got to be playing the second fiddle to bodies which are scheduled to function as advisory bodies like the N. E. S. After all, what are the N.E.S. councils? They are purely advisory bodies. You are going to make this statutory body like the Taluk Board rather subordinate and advisory to the N.E.S. committees. My suggestion is, wherever there is C.D. and N.E.S. functioning, they must be taken over by the Taluk Board. The entire responsibility for managing the N. E. S. must be given to the Taluk Board with all the assets and liabilities. Whatever assistance the Central Government is going to give, must be continued to be given. If the Taluk Board is not able to take over the development work within the four corners of the taluk, which other body is competent to take it? I am afraid, even from that point of view, the Bill has been badly drafted and it requires radical modification to that extent.

Next, page 122—this is amendment of the Bombay Act of 1947. I want a little clarification. This is another case which offends against your principle of uniformity of legislation between the old Mysore territory and the merged area.

> "240. The Government shall levy an education cess at a rate of seven Naye Paise in the rupee on all items of land revenue and on

the water rate leviable under any law for the time being in force. The levy and collection of the education cess shall be made in such manner as may be prescribed and the Government shall pay over annually to the District School Board for the purposes of primary education, the education cess collected in the area within the jurisdiction of the District School Board."

What is the point? As I said, please do not allow this kind of difference, distinction or discrimination to remain in the Bill. After one and a half years of integration, after so many legislative measures have been placed on the statute book, you must radically change some of these provisions. This particular provision, clause 240, has no place in the Bill.

Sir, reference was made in the course of the debate that judicial powers may be given to the panchayats. It was there even in the Act of 1927. They invested the Village Panchayats with ordinary civil powers under the Civil Procedure Code the Criminal Procedure Code and other enactments. My Hon'ble friend Sri Khot and Sri. Anna Rao referred to separate judicial panchayats so as to extend its jurisdiction to 10 to 12 villages within a radius of 10 or 20 miles. My point is, why is it that you cannot trust these village panchayets even in the case of offences of a minor nature? Suppose, it is a sanitary offence, it may be a case of fining four annas. The argument is that you are getting a separate apparatus. How long can you perpetuate this? Supposing it is a civil suit of Rs. 50, can you not trust the Taluk Board to dispose it of? You trust Village Munsiffs to dispose of civil suits of Rs. 100. So, I would like the Government to seriously consider the question of investing minor judicial powers both on the civil side and criminal side to the village panchayat.—Not to all panchayats on a uniform scale; but wherever you find it suitable, you can make provision in the Bill to invest with power in respect of the village panchayats, wherever you have a guarantee that they can exercise that power usefully.

I would next suggest the setting up of training institutions for persons who may be elected to the Taluk Board, village panchayat and District Board. This is a very important matter. It is much better if a provision is made in the Bill itself, because when you are giving enlarged powers to the village panchayats and Taluk Boards, it is better that we make provision for training in running Local Self-Government institutions. I think Mysore should be the first State to give a lead to the rest of India in setting up training institutions at central places and continuously train people. You must draw up a subsidised scheme and you must encourage people in the rural areas to undergo this training.

As I said, one of my friends in the course of the debate referred to the elections to the panchayet and Taluk Boards being made on non-party basis, and that there should be no trail of bitterness on animosity or feuds in villages. Sir, we are thinking of a millenium. I am for elections being held on non-party basis. But can you really do it by general agreement? I am quite willing to do it. It is much better, having regard to our past experiences, that elections should be of the right type and that there should be no nominations.

Another thing I would suggest is that all predominantly rural municipalities should be converted into village panchayets. In places where the population exceeds 10,000, you should continue the town municipalities and that nomenclature of minor municipalities should go and particularly predominantly rural municipalities must go.

Well, Sir, in regard to the financial aspect, there is a note put into the hands of the legislators by one of the friends from Sandoor in regard to financing the elections, for being studied. I only wish to say that 10 per cent grant that you will give from the State revenue, should not be there merely to level up inequalities. For that matter, if I had time, I would have gone into details. There may be municipalities which are prosperous;

(SRI J. B. MALLARADHYA)

which still need a lot of development work. There may be small municipalities and small areas where much money may not be required. In fact, there seems to be the view to take population as the basis. That would be acceptable to everybody. Nobody will have grievance. Otherwise, if you say, it is an underdeveloped area, and it must have more grant, it will not stand to reason. If in a particular area, there is need for developing that area, then say that it is a backward area and that it needs special subsidies from the Government and it should be treated as a grant outside the provisions made in this particular, because there is likely to be a kind of development of particular sections or areas. I want you to avoid it. If you look at these local self-governing institutions in progressive countries like the United Kingdom, the U.S.A. and other countries, you will see that they are all getting a substantial measure of support from the Central Revenues. You should not think that it is some fantastic recommendation made in asking you to give away the entire land revenue of the State to the village panchayats. You should not think that this is an impossible statement. It can be implemented. It is being done. In fact more than 75 per cent of the expenditure of the local self-governing institutions in most of the countries is met out of State Revenues. You have got the backing of the progressive countries of the world and I wish to suggest that in India we do help and assist the small republics, I mean the village panchayats which were managed by our village elders.

In conclusion, I wish to say that in rural areas conditions have changed. What we are doing now is to revert to the past system of rural life. If you really want this Bill to be fruitful, beneficial and if you really want to set the pace for rural development, you must really change the entire character and complexion of the Bill so that the gratitude of the people may be earned.

SRI H. C. LINGA REDDY (Malur).—I rise to support the Bill and in doing so, I will make a few observations. I will not comment on the Bill clause by clause, because that can be left to the Select Committee and we will have a further discussion of the Bill after it is again submitted to this House by the Select Committee. I would like to make a few general observations over the constitution of Taluk Boards, the District Development Councils and the village panchayats. This is a Bill which seeks to make revolutionary changes in the local self-government institutions of our State, apart from its aim to bring all the local self-government institutions to a uniform position. It is for the first time that an attempt of this kind is being made. On the one hand it is seeking to do away with the District Boards which we had for a fairly long number of years in the State and on the other hand it seeks to establish the Taluk Boards which we had once in our State, but which were subsequently abolished. It also seeks to re-organise the village panchayats, bringing all the village panchayats both in old and new Mysore on the same footing. In this connection we have to remember why we thought of abolishing the District Boards. We also hear that the Andhra Pradesh State and the State of Madras are also contemplating the abolition of District Boards. One main reason given by these States and our State for the abolition of District Boards is that adult franchise elections have been held to the State Legislatures and also to the Lok Sabha and therefore it will be a waste of time and also a costly luxury to have adult franchise elections once again to the District Boards. Now we are contemplating to abolish the District Boards and instead we are seeking to have another set of boards for the taluks. Suggestions have been made by Hon'ble Members that instead of indirect elections to the Taluk Boards we may have direct elections. The reasons for contemplating to abolish the District Boards is mainly to avoid elections on adult franchise to District Boards. As District Boards are having very poor and slender finances to the tune of 3.5 lakhs, it will not be possible to spend heavily and therefore, let us not have district boards—that

is what we are deciding. If elections to Taluk Boards have to be held on adult franchise, I am afraid we will be landing ourselves in the same difficulty, *i.e.*, we will not have sufficient funds. Some of my friends were suggesting that direct elections may be held both for the village panchayats and Taluk Boards. Now we know that though adult franchise elections have been provided for village panchayats, in 90 out of 100 cases, elections though on adult franchise, to the village panchayats will be unopposed.

Sri A. BHEEMAPPA NAIK.—With due deference to my friend, I may state that in 99 cases when elections are held it is only one in hundred that there will be unopposed return. Especially in Bombay, there is not even a single case of unopposed return.

Sri H. C. LINGA REDDY.—I do not know the experience of my friend in Chitaldrug, where democracy is very much advanced. In Bangalore, Kolar and Tumkur at least and some of the districts where I have sufficiently travelled, it will not be so. It is only in a few cases there will be elections with opposition and the rule is unopposed returns than real elections. I do not know the experience of my friends coming from the north of Mysore. If adult franchise elections have to be held to village panchayats and Taluk Boards now, the electorate will be the village panchayat members to elect the Taluk Board members. We know for certain that there will be elections in each village panchayat and we know the results of these elections. We know how on account of the general elections which we had on two occasions, factious litigation had become rampant. We know also that after an election to the village panchayat, things will not cool down. After the elections they take the matter to the court of the Assistant Commissioner and from there onwards to the Deputy Commissioner's court and no work is being turned out at present as contemplated under the provisions of the Village Panchayat Act. Therefore, the result will be, we will have too many general elections on adult franchise and the resultant factor will be, there will be too much of corruption, litigation, faction; there will be no peace and tranquility in the villages and there will be heavy expenditure also apart, from the well being of the people and apart from the smooth running of the administration of the village panchayats. Therefore I feel that we are experimenting and treading on very dangerous ground in having the Taluk Boards. Of course sufficient funds are made available to the Taluk Boards and these Taluk Boards will be elected by the members of the village panchayat and they will be after all pocket boroughs and we know the sort of members that these pocket borough–village panchayat—members will be electing to the Taluk Boards.

5-30 P.M.

As Sri Mallaradhya was mentioning, there is the N.E.S. Scheme also in several taluks and there should be Taluk Boards now and what is the work that the Taluk Board is likely to turn out for the development of the taluk? We had the Taluk Boards once. Why did you abolish them? We know that the Madras State had Taluk Boards along with other States. Why did they abolish them? We have to see the reasons. We are having municipalities consisting of 15-20 members.

Sri R. CHENNIGARAMAIAH.—The Madras Government wants to constitute panchayat unions.

Sri H. C. LINGA REDDY.—We do not know how they are different from Taluk Boards. They had outlived their purposes; they were not of service for the development of the towns; therefore, they were abolished. Now we are contemplating the constitution of Taluk Boards. I was referring to the municipalities. How is the condition of the municipal towns? Though the activities of the municipal council are confined to a town or a city, roads are so bad, drains are so bad; they are not in a position to provide for the amenities of the people in the town. If a Taluk Board should be constituted, what will be the condition of the roads or other developmental activities in the taluk. My fear is, I am also of definite opinion, that the Taluk Boards will not be in

(SRI H. C. LINGA REDDY)

a position to do much work in the taluk especially when the fact is that they will have to be elected and they have to be provided with an executive officer and clerks; they will have to spend heavily on establishment and they will come with elections from various bodies; they will have to discuss matters and decide things and do the developmental work. I do not think that a Taluk Board will be in a position to do any better work than what is being done to-day either by the officers or by the advisory committees which we had once or by the N.E.S. Blocks which we are having in some taluks. The result will be, we will have again factions, corrupt practices indulged in, litigation again carried on by the parties and no tangible or substantial work will be done for the development of the taluk. Therefore, I oppose the constitution of the Taluk Boards themselves. I am welcoming only the constitution of village panchayats, a few and not all of them. A question has been put as to how developmental activities in the taluk can be organised. We had the advisory committees some time ago, constituted by Sri T. Mariappa when he was in the previous Ministry and also by the subsequent Ministry and we know the wonderful work turned out by those committees; I think we will have to have recourse again to the constitution of those Committees. There should be an advisory committee constituted by the Government for carrying out all the developmental work in the taluk. We should have only a non-official Chairman. The Tahsildar has to be made the Secretary of the Committee. The Tahsildar and other officers and officials should form the executing staff. Decisions and policies and programmes of the Taluk Development Committee, I mean, the Advisory Committee which I am proposing to the Government now have to be carried out by the Tahsildar and his staff to be nominated by Government. In support of this there will be the Planning Commission Report itself. The Planning Commission has suggested that for the carrying out of the Plan there should be an advisory committee at the taluk level and an advisory committee at the district level. Now it is the duty of any ruling party to see that the plans and programmes given by them have to be carried out successfully in the towns. Now if the M.L.A. of the concerned taluk or some other competent non-official gentleman is appointed as the Chairman of the Taluk Advisory Committee and the services of the Tahsildar and his staff are made available to the Committee, I am sure the programmes of the developmental activities in the taluk can be carried out very successfully and the Government also can supervise the work properly. It is only then that we will be avoiding all the elections and all these factions and litigations and we can certainly carry out some substantial work in the taluks.

As for the District Council, I would like to submit that the District Development Council as now provided for under the Bill is not given sufficient powers and sufficient functions. Again, the Deputy Commissioner is made the Chairman of the Committee. It is better that a competent experienced non-official Chairman is allowed to be elected by the members of the Committee at the District level or the Government themselves may nominate the Chairman for the District Development Council also and the non-official Chairman nominated by the Government either M.L.As. or other experienced, competent non-official gentlemen nominated to the Taluk Boards as the Chairmen may be made members of the District Development Committee and they may be allowed to choose their own President or the Government themselves may nominate the President. There will be various plans and programmes to be carried out again by the District Development Committee. As Sri Mallaradhya was pointing out that the powers of the District Development Council we are not properly defined. It is only a nominal, powerless body as is provided for at present. What will have to happen to the several hospitals that are started by the District Boards in the several places, what will have

to happen to the several high schools run by the District Boards at present in the Districts, is not made clear at all in any of the provisions of this Bill. District Development Council being a co-ordinating body will have to carry out heavy works ; it has to start high schools again ; it has to start hospitals. Will the Taluk Boards with their slender finances be in a position to run any high school, start any hospital ? It will not be possible. Therefore, I am glad that the District Boards, as they have outlived the purpose for which they have come into existence, are being abolished now, but it is no use having a mere nominal and powerless District Development Council. Sufficient funds have to be made available to it and plans and programmes for the district have to be carried out by the District Development Council. If it has to carry out the district plans and the Taluk Advisory Committee has to carry out the taluk plans, I think the District Development Council should be given more powers and should have a non-official Chairman. Several friends attacked the position with regard to nomination which the Government will have to make to the Taluk Boards to the extent of 25 per cent. Hon'ble Members have to remember that some years ago when we had the District Boards and some percentage was being nominated by the Government, there was a hue and cry by the Congress members themselves. Now when we are trying to abolish the District Boards and when we are trying to have Taluk Boards, we will be open to the same criticism. Therefore, this provision with regard to nomination has to be given up.

With these few words, I support the Bill.

*Sri BALWANT RAO (Bhalki).—Sir, as I have very little time at my disposal, I shall speak only on a few points which are very important in my opinion.

The first point is that in our Bill there is a serious omission regarding nyaya panchayat, I think our Government is hesitating to entrust our village panchayats with judicial powers. If we look at the history of our country, we will see that there was a time when every panchayat had its nyaya panchayat and all the judicial work which is being done by the Munsiffs and other judicial officers was done by the nyaya panchayats. They had a reputation and they were called *Panchparameswaras.* We have got such panchayats who do more work than the Munsiffs and Magistrates in our courts. Therefore, in my opinion, we must trust the people and they are capable of doing judicial work. We must take into consideration the opinions of our great leaders. For example, Mahatma Gandhi himself said that a true democracy will be established when a kisan of our village will be the Prime Minister of India. Pandit Nehru says that if we want a true Republic, we must entrust the village panchayats with full powers. They must enjoy judicial powers. In the same way, Pandit Motilal Nehru recommended that the present judicial system must be abolished. I will refer to a statement of his, quoted by Mahatma Gandhi in his 'Young India'. He appealed to all shades of public opinion to join the holy war against the evil and he called upon the members of his profession to organise panchayats and to divert the ceaseless stream of litigation which flows into the courts to these panchayats. These are the words of a great lawyer who had a high reputation for his legal acumen. He had the experience of 37 years and he came to the conclusion that the western judicial system was doing much harm to the country and therefore he said that nyaya panchayats should be established. He also said that in 99 per cent of the cases in courts justice was not given. On the contrary, he has said that a man who succeeds in the court is defeated and a man who is defeated dies. Nowadays, the judicial system is functioning so badly that it is only dispensing paper justice. Therefore, in my opinion we must incorporate a provision in this Bill for the establishment of nyaya panchayats. I do not understand why our Government has not made provision in this regard. In our Hyderabad Area we had such panchayats, but they could not work

(SRI BALWANT RAO)

because just after the enactment of this law the integration took place. Therefore, there was no time to test this law. In Bombay Karnatak also we have got such panchayats. I do not know how they are functioning there, but I have heard that several of them are doing well. In the same way, in the old Mysore State there was one committee called the Venkatappa Committee which recommended that panchayats should be entrusted with judicial functions. Other States also have such nyaya panchayats. I fail to understand why our Government is hesitating to establish such panchayats in our State. Besides, the Congress Village Panchayat Committee also has recommended as follows:

> "The Committee was of the view that judicial functions should be performed by a body other than the panchayat. The executive which was entrusted with the administration functions, the formation of nyaya panchayats or judicial panchayats for the areas comprising four or five village panchayats was recommended. The procedure for the constitution of nyaya panchayats was as follows:"

In this way, even the Congress Village Panchayat Committee has also recommended the establishment of such panchayats in every State. At the conference of all local self-governing bodies also it was recommended that such powers must be given to village panchayats. Some criticism may be made against these panchayats. For example, some members said that these people have no experience and that they become corrupt. They also said that there were parties and factions in the villages and therefore such panchayats wonly not function very well. I do admit that there are such parties and factions in our villages, but by saying like this we will not solve our problems. On the contrary, we are distrusting these people who are competent to elect us. At the time of election we go to them and say, "You are very wise and you can elect the legislators". At the time of giving powers to deal with such matters which concern them, we say that they are incompetent. I am sure that experience will show that they will be a success. So, I appeal to the Government to think over this matter and to make provision for such panchayats which can decide minor civil and criminal cases. We have got such panchayats in our Hyderabad Karnatak area and in the Bombay Karnatak area. There must be a uniform law in this regard for the new Mysore State.

The second point I want to deal with is—some functions have not been given to the village panchayats, for example, the maintenance of records. You know we have got a complicated problem before us regarding the Patel Patwaries. These Patel Patwaries have become a nuisance for us, and they have become out of date. They are not discharging their duties very well. On account of these Patel Patwaries so many litigations and problems have arisen. Therefore, if you want to get rid of these evils we have to entrust the duties which are being done by the Patel Patwaries to the village panchayats themselves including the maintenance of land records. That will solve the problem. In the same way the Patel Patwaries must be clerks of the village panchayats.

Regarding members of the Taluk Boards, I am also with those friends who are in favour of the members being elected and not nominated.

With regard to the Secretary to the Taluk Board I want to say a few words. The posts of Executive Officers are very important and if the Secretary does not discharge his duties properly all the work done by the village panchayats will be a failure. Therefore the Secretaries must be fully under the control of village panchayats. In this Bill we see there are no powers to control the Executive Officers given to the village panchyats. It is like this: you are asking a man to sit on a horse and you expect he will take part in the race course but the reins are taken over by some other persons. In this way you are giving Executive Officers to village panchayats who will be responsible for the execution of works. But

you are not giving powers to the village panchayats to control these officers. Therefore my suggestion is that the village panchayats must be given powers to at least suspend the Executive Officers. The Congress Village Panchayat Committee has recommended that such powers should be given to the village panchayats and Taluk Boards.

The next point to which I want to refer is this : the funds at the disposal of the Taluk Boards and village panchayats are very meagre. In Saurashtra the same practice which we are now contemplating was there. The village panchayats had very little money at their disposal. Therefore some time afterwards this defect was realised and sufficient money was given to them and then they proved successful.

In my opinion if you do not give sufficient funds, they will prove unsuccessful and will not serve their purpose. Therefore the present arrangement is insufficient and complete land revenue must be given to the local bodies.

Next I want to speak about District Development Councils. Just now Sri Mallacadhya said that these local bo lies are without any powers and I am also of the opinion that without any power such bodies are of no use. At least the powers which are given to the Deputy Commissioner which he uses arbitrarily must be given to the District Development Council so that it may function as it is expected.

With these words I resume my seat.

MR. SPEAKER.—The House will now rise and meet tomorrow at 1 P.M.

The House adjourned at Fifty-eight Minutes past Five of the Clock to meet again at One of the Clock on Thursday, the 8th May 1958.